Director of Media and Community Relations

SUFFOLK CITY COUNCIL

MEETING OF MARCH 4, 2015

WORK SESSION

Begins at 5:00 p.m.

REGULAR SESSION

Begins at 7:00 p.m.

SUFFOLK CITY COUNCIL
WORK SESSION
March 4, 2015
5:00 p.m.
City Council Chamber

1. U.S. Route 460 Corridor Improvements Project Update

2.* Appointments

3.* Economic Development Investment Program Proposal

4.* General Report for City Council

* Proposed Items for Closed Session

AGENDA: **March 4, 2015, Work Session**

ITEM: **U.S. Route 460 Corridor Improvements Project Update**

Staff from the Virginia Department of Transportation (VDOT) will provide City Council with an update on the Route 460 Corridor Improvements Project.

SUFFOLK CITY COUNCIL AGENDA
March 4, 2015
7:00 p.m.
City Council Chamber

1. **Call to Order**

2. **Nonsectarian Invocation**

3. **Approval of the Minutes**

4. **Special Presentation**

5. **Removal of Items from the Consent Agenda and Adoption of the Agenda**

6. **Agenda Speakers**

7. **Consent Agenda** – An ordinance to accept and appropriate funds from the Virginia Department of Transportation for the Nansemond Parkway Phase II Improvements Project

8. **Consent Agenda** – An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport

9. **Consent Agenda** – An ordinance to accept and appropriate funds from the Public Safety Answering Point Grant Program for the Suffolk Police Department Emergency Communication Center

10. **Consent Agenda** – An ordinance to accept and appropriate funds from the Virginia Municipal League to the City of Suffolk Risk Management

11. **Consent Agenda** – A resolution requesting the Virginia Department of Transportation to make certain additions and deletions to the Urban Highway System

12. **Consent Agenda** – A resolution authorizing the City Manager to execute an agreement between the Commonwealth of Virginia Department of Transportation and the City of Suffolk for the State Urban Construction Initiative Program

13. **Public Hearing** – A resolution to adopt the Capital Improvements Plan for Fiscal Years 2015-2016 through 2024-2025 as amended

14. **Public Hearing** – An ordinance to rezone and amend the official zoning map of the City of Suffolk to allow the amendment of approved proffered conditions associated with age restrictions and right-of-way dedication for the development of the Epps Senior Residences, for property located at 401 Kings Fork Road, Zoning Map 25, Parcel 18A, RZ08-14 (Conditional)

15. **Public Hearing** – An ordinance to grant a Conditional Use Permit to establish a retirement village, on property located at 401 Kings Fork Road, Zoning Map 25, Parcel 18; C28-14

16. **Public Hearing** – An ordinance to grant a conditional use permit to establish outdoor operations and storage, manufacturing/processing, materials recovery facility and recycling plant, on property located to the south of Pughsville Road, and adjacent to the City of Chesapeake municipal boundary, Zoning Map 13, Parcel 37; C20-14

17. **Public Hearing** – An ordinance to grant a Conditional Use Permit to establish a vehicle rentals - passenger vehicles only, including recreational vehicles business (U-Haul) on property located at 6540 Hampton Roads Parkway, Zoning Map 6, Parcel 13A*3; C25-14

18. **Public Hearing** – An ordinance to amend Chapter 31, Unified Development Ordinance of the Code of the City of Suffolk by amending Article 1, General Provisions, Section 31-104, Applicability, to address security fencing requirements for public utility establishments – OA1-15

19. **Public Hearing** – An ordinance to amend Chapter 31, Unified Development Ordinance of the Code of the City of Suffolk by amending Article 6, Design and Improvement Standards, Section 31-606, Parking and Loading Standards to amend the parking requirement for schools – OA2-15

20. **Public Hearing** – A resolution to amend the Comprehensive Plan for 2026 and adopt Suffolk 2035: A Vision for the Future, City of Suffolk Comprehensive Plan

21. **Ordinance** – An ordinance to accept and appropriate excess General Fund Expenses and/or excess General Funds Revenues and/or Debt Fund Balance received during Fiscal Years 2014-15 to the Western Tidewater Regional Jail

22. **Resolution** – A resolution in support of Epps Seniors, LP for the construction of 50 units of affordable housing for persons 55 years and older to be located at 401 King's Fork Road

23. **Staff Reports**

24. **Motion** – A motion to schedule a public hearing on March 18, 2015, to consider the adoption of an ordinance authorizing the acquisition of right of way and easements for the Route 58 Improvements Project

25. **Motion** – A motion to schedule a public hearing on March 18, 2015, to consider the adoption of an ordinance authorizing the acquisition of right of way and easements for the Route 58/Manning Bridge Road Intersection Improvements Project (Project No. U000-133-R76)

26. **Motion –** A motion to schedule a Work Session for March 18, 2015, at 4:00 p.m., unless cancelled

27. **Non-Agenda Speakers**

28. **New Business**

29. **Announcements and Comments**

30. **Adjournment**

Work Session of the Suffolk City Council was held in was held in the City Council Chamber, 442 West Washington Street, on Wednesday, January 21, 2015, 5:00 p.m.

PRESENT
Council Members -
Linda T. Johnson, Mayor, presiding
Leroy Bennett, Vice Mayor
Michael D. Duman
Roger W. Fawcett
Donald Z. Goldberg
Timothy J. Johnson
Curtis R. Milteer, Sr.
Lue R. Ward, Jr.

Selena Cuffee-Glenn, City Manager
Helivi L. Holland, City Attorney
Erika S. Dawley, City Clerk

ABSENT
None

FIRE SAFETY BLITZ PROGRAM

Utilizing a PowerPoint presentation, Fire Chief Cedric Scott gave a report on the above referenced item.

Referring to the presentation, Vice Mayor Bennett called for information regarding the distance that the program would cover in the event of a fire in a neighborhood. Fire Chief Scott explained that in the event of a fire in a neighborhood, the program would cover a two-block radius from the site.

Referring to the presentation, Vice Mayor Bennett opined about the need to provide fire safety information to civic leagues, homeowners associations and schools.

CLOSED MEETING

City Clerk Dawley presented the following Closed Session motion for City Council's consideration:

1. Pursuant to Virginia Code Section 2.2-3711(A)(1), the discussion, consideration, or interviews of prospective candidates for appointment; and the assignment, appointment, and performance of specific public officers or appointees of the City.

Council Member Johnson called for the addition of the following language to the motion: to include the performance of the City Manager.

Council Member Johnson, on a motion seconded by Council Member Milteer, moved that City Council convene in a closed meeting for the following purposes, by the following roll call vote:

1. Pursuant to Virginia Code Section 2.2-3711(A)(1), the discussion, consideration, or interviews of prospective candidates for appointment; and the assignment, appointment, and performance of specific appointees of the City, to include the performance of the City Manager.

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward.	8
NAYS:	None	0

City Council convened in Closed Meeting at 5:11 p.m. The Closed Meeting concluded at 6:55 p.m.

Teste: _____
Erika S. Dawley, City Clerk

Approved: _____
Linda T. Johnson, Mayor

There being no further business to come before City Council, the regular meeting was adjourned at 8:45 p.m.

Teste: _____
Erika S. Dawley, City Clerk

Approved: _____
Linda T. Johnson, Mayor

Council Member Ward opined about Mr. Faulk's comments.

Council Member Ward expressed his condolences to the family of the late Bishop Dwight Whitfield.

Council Member Duman advised he attended the Whaleyville Community Center Ribbon Cutting and the Navy Information Dominance Forces Establishment Ceremony.

Council Member Duman congratulated Jacob Johnson on being named the Chief of the Chuckatuck Volunteer Fire Department.

Council Member Duman announced the upcoming Paws for a Cause Suffolk Humane Society Fundraiser.

Vice Mayor Bennett reported he attended the following: the Whaleyville Community Center Ribbon Cutting; United for Children Partner Breakfast; and Opening Ceremony for the Virginia Mosquito Association Conference.

Vice Mayor Bennett thanked City Treasurer Ronald Williams for his contributions to the Boys and Girls Club and the Genieve Shelter.

Vice Mayor Bennett advised he attended a recent Southeastern Public Service Authority Meeting.

Vice Mayor Bennett asked about correspondence to City employees limiting their contact with members of City Council.

Mayor Johnson called for clarification about Vice Mayor Bennett's question about correspondence to City employees limiting their contact with members of City Council. Police Chief Thomas Bennett and Fire Chief Cedric Scott both indicated that they were not aware of any such correspondence.

Mayor Johnson expressed her condolences to the family of the late Bishop Dwight Whitfield.

Mayor Johnson congratulated Jacob Johnson on being named the Chief of the Chuckatuck Volunteer Fire Department.

Mayor Johnson reported on the Navy Information Dominance Forces Establishment Ceremony.

Mayor Johnson advised she attended a reception hosted by the Hampton Roads Federal Facilities Alliance.

Council Member Fawcett, on a motion seconded by Council Member Johnson, moved to adjourn, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

NEW BUSINESS

City Clerk Dawley presented the following boards and commissions for City Council's consideration: Early Childhood Development Commission – Lakita Watson (child care provider); Karen Gunter (National Association for the Education of Young children representative), Lori White (Obici representative) and Bonnie Maki (at large representative); Economic Development Authority of the City of Suffolk (Cypress Borough representative) – Wesley King; Suffolk Clean Community Commission – Evelyn Ledbetter; Western Tidewater Water Authority (alternate) – City Attorney Helivi Holland and Wetlands Board – Geoffrey Hinshelwood.

Council Member Milteer, on a motion seconded by Council Member Fawcett, moved to appoint the above referenced individuals to the aforementioned bodies, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

Vice Mayor Bennett requested a report on transitioning to paperless agendas

Council Member Duman asked for information related to the cancellation of a contract between the City and PCI for software used by the City Treasurer.

ANNOUNCEMENTS AND COMMENTS

Utilizing PowerPoint presentation, Media and Community Relations Manager Timothy Kelley reported on the following: the opening of the new Emergency Communications Center; Navy Information Dominance Forces Establishment Ceremony; expansion in hours of operation for Suffolk Public Library; the upcoming Suffolk Humane Society adopt-a-thon; the City's observance of Presidents' Day; free tax preparation and e-filing services at the Suffolk Workforce Development Center; the City's online roadway maintenance request webpage; and the City's Municipal Channel webpage and online programing.

Council Member Johnson thanked Public Utilities Director Al Moor for the tour of the City's various Public Utilities facilities.

Council Member Johnson advised he attended the Navy Information Dominance Forces Establishment Ceremony and the Whaleyville Community Center Ribbon Cutting.

Council Member Milteer reported on the Whaleyville Community Center Ribbon Cutting.

Council Member Fawcett advised he attended the following: United for Children Partner Breakfast; the Navy Information Dominance Forces Establishment Ceremony; and the Whaleyville Community Center Ribbon Cutting.

Council Member Goldberg thanked City Administration for their assistance.

Council Member Ward reported he attended the following: the Whaleyville Community Center Ribbon Cutting; Riverbend Church Grand Celebration; the Navy Information Dominance Forces Establishment Ceremony; and the Virginia Municipal League Capitol Day.

Council Member Duman moved to approve the proposed ordinance with the deletion of section (h) and replacing it with section (i). City Attorney Holland indicated that the motion was not needed as City Council previously approved an ordinance repealing Section 2-91 of the Code of the City of Suffolk concerning council member voting.

RESOLUTIONS

There were no items under this portion of the agenda.

STAFF REPORTS

There were no items under this portion of the agenda.

MOTIONS

Motion - A motion to schedule a public hearing to be held on February 18, 2015, to receive public comment on the proposed Fiscal Year 2016-2025 Capital Improvements Plan

Council Member Fawcett, on motion seconded by Council Member Duman, moved to schedule a public hearing to be held on February 18, 2015, to receive public comment on the proposed Fiscal Year 2016-2025 Capital Improvements Plan, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

Motion – A motion to schedule a Work Session for February 18, 2015, at 4:00 p.m., unless cancelled

Council Member Duman, on motion seconded by Council Member Milteer, moved to schedule a Work Session for February 18, 2015, at 4:00 p.m., unless cancelled, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

NON-AGENDA SPEAKERS

Chris Dove, 852 Colonel Meade Drive, representing self, opined about the City's purchase of property and requested the City prepare a policy permitting speakers to make presentations to City Council using the audio visual equipment in the City Council Chamber.

J. Harold Faulk, 3282 Jackson Road, representing the Nansemond County Training School and Southwestern Elementary School Alumni, thanked City Council for the City's acceptance of the former the Southwestern Elementary School.

Ordinance – An ordinance amending Section 2-39 of the Code of the City of Suffolk related to the code of ethics for members of City Council

Utilizing a PowerPoint presentation, City Attorney Holland provided a summation of the background information as printed in the official agenda.

Council Member Duman, on a motion seconded by Council Member Ward, moved to approve the ordinance, amending proposed section (h) to "The members of City Council shall refrain from publicly discussing matters that are discussed in a closed meeting held after a motion has been approved to discuss specific matters in compliance with the Code of Virginia Section 2.2-3711."

Referring to the presentation, Vice Mayor Bennett asked that the proposed ordinance be continued until after the conclusion of the current General Assembly Session so that any changes to the State's Conflict of Interest Act can be considered.

Members of City Council opined about the proposed ordinance and the proposed motion.

Referring to the presentation and the proposed motion, Council Member Johnson asked about the feasibility of approving the ordinance as presented with the deletion of proposed section (h) and the inclusion of proposed section (i). City Attorney Holland advised that City Council could take that action and would only require the reassignment of the letters to the sections.

Members of City Council opined about the proposed ordinance and the proposed motion.

Referring to the proposed motion, Council Member Milteer requested that the proposed motion be restated. Council Member Duman, on a motion seconded by Council Member Ward, moved to approve the ordinance, amending proposed section (h) to "The members of City Council shall refrain from publicly discussing matters that are discussed in a closed meeting held after a motion has been approved to discuss specific matters in compliance with the Code of Virginia Section 2.2-3711."

Members of City Council opined about the proposed ordinance and the proposed motion.

Council Member Duman, on a motion seconded by Council Member Ward, moved to approve the ordinance, amending proposed section (h) to "The members of City Council shall refrain from publicly discussing matters that are discussed in a closed meeting held after a motion has been approved to discuss specific matters in compliance with the Code of Virginia Section 2.2-3711", by the following vote:

AYES:	Mayor L. Johnson, and Council Members Duman, Milteer and Ward	4
NAYS:	Vice Mayor Bennett and Council Members Fawcett, Goldberg, and T. Johnson	4

Referring to the failure of the motion, Council Member Milteer and Mayor Johnson queried about the legal impact. City Attorney Holland explained that as the motion for approval failed, there are no changes to this section of the City Code.

CONSENT AGENDA

City Clerk Dawley presented the following Consent Agenda items:

Consent Agenda Item #7 - An ordinance to accept and appropriate funds from the Hampton Roads Sanitation District for the Nansemond Parkway and Shoulders Hill Road Intersection Improvement Project

Consent Agenda Item #8 - An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport

Consent Agenda Item #9 - An ordinance to accept and appropriate funds from the American Library Association's Libraries Transforming Communities Grant for the City of Suffolk Public Library

Referring to Consent Agenda Items #7 through #9, City Manager Cuffee-Glenn submitted a review of the background information as printed in the official agenda.

Council Member Fawcett, on a motion seconded by Council Member Duman, moved to approve the Consent Agenda, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

PUBLIC HEARINGS

There were no items under this portion of the agenda.

ORDINANCES

Ordinance – An ordinance repealing Section 2-91 of the Code of the City of Suffolk concerning council member voting

Utilizing a PowerPoint presentation, City Attorney Holland provided a summation of the background information as printed in the official agenda.

Council Member Duman, on a motion seconded by Council Member Ward, moved to approve the ordinance, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

AN ORDINANCE REPEALING SECTION 2-91 OF THE CODE OF THE CITY OF SUFFOLK CONCERNING COUNCIL MEMBER VOTING

APPROVAL OF THE MINUTES

Council Member Fawcett, on a motion seconded by Council Member Milteer, moved to approve the minutes from the January 5, 2015, Reorganizational Meeting, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

SPECIAL PRESENTATIONS

There were no items under this portion of the agenda.

REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ADOPTION OF THE AGENDA

Mayor Johnson asked if any members of City Council wished to remove any Consent Agenda items for separate action.

Vice Mayor Bennett called for a summary of Consent Agenda Item #7 - an ordinance to accept and appropriate funds from the Hampton Roads Sanitation District for the Nansemond Parkway and Shoulders Hill Road Intersection Improvement Project

Council Member Milteer asked for a report on Consent Agenda Items #7 through #9 - an ordinance to accept and appropriate funds from the Hampton Roads Sanitation District for the Nansemond Parkway and Shoulders Hill Road Intersection Improvement Project; an ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport; and an ordinance to accept and appropriate funds from the American Library Association's Libraries Transforming Communities Grant for the City of Suffolk Public Library, respectively.

Hearing no requests for removal any of the items, Mayor Johnson advised that a motion was in order at this time to adopt the agenda as outlined.

Council Member Milteer, on a motion seconded by Council Member Fawcett, moved to adopt the agenda as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

AGENDA SPEAKERS

There were no speakers under this portion of the agenda.

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, February 4, 2015, at 7:00 p.m.

PRESENT
Council Members -
Linda T. Johnson, Mayor, presiding
Leroy Bennett, Vice Mayor
Michael D. Duman
Roger W. Fawcett
Donald Z. Goldberg
Timothy J. Johnson
Curtis R. Milteer, Sr.
Lue R. Ward, Jr.

Selena Cuffee-Glenn, City Manager
Helivi L. Holland, City Attorney
Erika S. Dawley, City Clerk

ABSENT
None

CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Johnson called the meeting to order. Council Member Milteer offered the Invocation, and members of Boy Scout Troop 73 and Troop 259 led the Pledge of Allegiance to the Flag.

FREEDOM OF INFORMATION ACT CERTIFICATION

City Clerk Dawley presented a resolution certifying the Closed Meeting of February 4, 2015, pursuant to Section 2.2-3712 of the Code of Virginia (1950), as amended.

Council Member Milteer, on a motion seconded by Council Member Fawcett, moved that the resolution be approved, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF FEBRUARY 4, 2015, PURSUANT TO SECTION 2.2-3712 OF THE CODE OF VIRGINIA (1950), AS AMENDED

Referring to the presentation, Council Member Duman opined about the inclusion of a new transfer station in the plan. Deputy City Manager Roberts said that as the City prepares its operating budget in the next few months, City Administration would have a better idea about the need for a new transfer station in the event that the Southeastern Public Service Authority ceases to exist after 2018.

Referring to the presentation, Mayor Johnson called for clarification about the potential cost savings for the new elementary and middle schools, should the City and Suffolk Public Schools seek joint procurement for design and construction services. Deputy City Manager Roberts replied in the affirmative.

UTILITY FUND OVERVIEW

Utilizing a PowerPoint presentation, Public Utilities Director Moor provided an overview of the above referenced item.

SOLID WASTE OVERVIEW (SOUTHEASTERN PUBLIC SERVICE AUTHORITY POST 2018, REFUSE ENTERPRISE FUND)

Utilizing a PowerPoint presentation, Public Works Director Eric Nielsen supplied a review of the above referenced item.

TOURISM UPDATE

Utilizing a PowerPoint presentation, Economic Development Director Kevin Hughes offered a summary of the above referenced item.

CLOSED MEETING

City Clerk Dawley presented the following Closed Session motion for City Council's consideration:

Council Member Milteer, on a motion seconded by Council Member Fawcett, moved that City Council convene in a closed meeting for the following purposes, by the following roll call vote:

1. Pursuant to Virginia Code Section 2.2-3711(A)(1), the discussion, consideration, or interviews of prospective candidates for appointment; and the assignment, appointment, and performance of specific appointees of the City, specifically the appointments shown on the attached list.

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

City Council convened in Closed Meeting at 5:55 p.m. The Closed Meeting concluded at 6:15 p.m.

Teste: _____
Erika S. Dawley, City Clerk

Approved: _____
Linda T. Johnson, Mayor

Work Session of the Suffolk City Council was held in was held in the City Council Chamber, 442 West Washington Street, on Wednesday, February 4, 2015, 4:00 p.m.

PRESENT
Council Members -
Linda T. Johnson, Mayor, presiding
Leroy Bennett, Vice Mayor
Michael D. Duman
Roger W. Fawcett
Donald Z. Goldberg
Timothy J. Johnson
Curtis R. Milteer, Sr.
Lue R. Ward, Jr.

Selena Cuffee-Glenn, City Manager
Helivi L. Holland, City Attorney
Erika S. Dawley, City Clerk

ABSENT
None

FISCAL YEAR 2016-2015 CAPITAL IMPROVEMENTS PLAN

Utilizing a PowerPoint presentation, Finance Director Lenora Reid gave a report on the above referenced item. Public Utilities Director Albert Moor and David Rose, Senior Vice President, Davenport and Company, the City's financial advisors, provided supplementary information.

Referring to the presentation, Council Member Duman queried about the potential impact of energy performance contracting on the City's overall debt service. Mr. Rose indicated that the bond rating agencies will still apply the bond debt service toward the total debt service amount.

Referring to the presentation, Vice Mayor Bennett asked about designating funding for the Driver Athletic Complex in the first year of the proposed plan. Parks and Recreation Director Lakita Watson explained that since the school capital needs have been designated as the plan's priority, the Parks and Recreation Department is working with area youth baseball leagues to address their needs until a realistic funding source can be identified.

Referring to the presentation, Council Member Duman called for information about the cost of a new 800-student middle school versus the cost of the proposed 600-student middle as outlined in the plan. Deputy City Manager Patrick Roberts stated that the difference in cost would be approximately $4,000,000. He added that in joint discussions with Suffolk Public Schools, City Administration is exploring the feasibility of joint procurement of design and construction services for the new elementary and middle schools, which might result in cost savings and could be used to expand capacity at the new middle school.

Vice Mayor Bennett stated he received an email about traffic concerns on Nansemond Parkway and Wilroy Road.

Mayor Johnson complimented the Western Tidewater Free Clinic on their contributions to the City.

Mayor Johnson reported she attended the following: a luncheon at the Crossings at Harbour View; the 31st Annual Dr. Martin Luther King, Jr. Community Leaders' Breakfast; the Annual Suffolk City Wide Dr. Martin Luther King, Jr. Day Celebration; the Massimo Zanetti Beverage USA Dr. Martin Luther King, Jr., Day Celebration; and a Hampton Roads Military and Federal Facilities Alliance reception for Rear Admiral Ricky Williamson, Commander Navy Region Mid-Atlantic.

Mayor Johnson announced the upcoming Navy Information Dominance Forces Establishment Ceremony.

Mayor Johnson congratulated Finance Director Lenora Reid on her receipt of the Chartered Global Management Accountant designation.

Mayor Johnson advised she attended a reception for the new Executive Director of Suffolk Partnership for a Healthy Community, Regina Brayboy.

Council Member Fawcett, on a motion seconded by Council Member Milteer, moved to adjourn, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

There being no further business to come before City Council, the regular meeting was adjourned at 8:27 p.m.

Teste: _____
Erika S. Dawley, City Clerk

Approved: _____
Linda T. Johnson, Mayor

Council Member Johnson commended the Suffolk Police Department and the staff.

Council Member Milteer reported he attended the Annual Suffolk City Wide Dr. Martin Luther King, Jr. Day Celebration.

Council Member Milteer encouraged residents to attend the Whaleyville Community Center Ribbon Cutting.

Council Member Fawcett opined about the Oath of Office Ceremony.

Council Member Fawcett announced he attended the Annual Suffolk City Wide Dr. Martin Luther King, Jr. Day Celebration.

Council Member Fawcett congratulated new Assistant Library Director Sarah Townsend and Finance Director Lenora Reid on her receipt of the Chartered Global Management Accountant designation.

Council Member Fawcett recognized the Suffolk Fire and Police Departments.

Council Member Fawcett opined about the newly organized City Council.

Council Member Ward complimented the Western Tidewater Free Clinic on their contributions to the City.

Council Member Ward reported he attended the following: a documentary screening regarding the former Nansemond County Training Center and Southwestern High School; a reception for the new Executive Director of Suffolk Partnership for a Healthy Community, Regina Brayboy; the 31st Annual Dr. Martin Luther King, Jr. Community Leaders' Breakfast; and the Annual Suffolk City Wide Dr. Martin Luther King, Jr. Day Celebration.

Council Member Duman announced he attended the Annual Suffolk City Wide Dr. Martin Luther King, Jr. Day Celebration and the Massimo Zanetti Beverage USA Dr. Martin Luther King, Jr., Day Celebration.

Council Member Duman acknowledged the contributions of the Western Tidewater Free Clinic.

Vice Mayor Bennett reported he attended the following: Mrs. Linda's Kitchen Ribbon Cutting; the Annual Suffolk City Wide Dr. Martin Luther King, Jr. Day Celebration; and the Suffolk Police Department Badge Pinning Ceremony.

Vice Mayor Bennett commended the Suffolk Fire and Police Departments.

Vice Mayor Bennett reported the following requests from the East Suffolk Gardens Civic League: the installation of a flashing light at Truman Road and Sixth Street and repair of potholes on Truman Road.

Vice Mayor Bennett advised that the Suffolk Meadows Home Owners Association has requested the installation of a No Thru Traffic Sign.

MOTIONS

Motion - A motion to schedule Work Session for February 4, 2015, at 4:00 p.m.

Council Member Ward, on motion seconded by Council Member Duman, moved to schedule a Work Session for February 4, 2015, at 4:00 p.m., by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

NON-AGENDA SPEAKERS

Chet Hart, 2019 Meade Parkway, representing Western Tidewater Free Clinic, offered information on the clinic's services and accomplishments.

Chris Dove, 852 Colonel Meade Drive, representing self, opined on the City's conflict of interest policy.

NEW BUSINESS

City Clerk Dawley presented the following boards and commissions for City Council's consideration: Early Childhood Development Commission (at large representative) – Virginia Staylor; Economic Development Authority of the City of Suffolk (Nansemond Borough) – Maria Herbert; Planning Council – Jansen Butler; Western Tidewater Community Services Board – Brian Melchor; Hampton Roads Transportation Planning Organization (alternate) – Vice Mayor Bennett; Western Tidewater Regional Jail Board – Council Member Lue Ward; Western Tidewater Water Authority – Council Member Donald Goldberg and Council Member Timothy Johnson (alternate).

Council Member Fawcett, on a motion seconded by Vice Mayor Bennett, moved to appoint the above referenced individuals to the aforementioned bodies, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward.	8
NAYS:	None	0

ANNOUNCEMENTS AND COMMENTS

Utilizing PowerPoint presentation, Media and Community Relations Manager Timothy Kelley reported on the following: new Assistant Director of Suffolk Public Library Sarah Townsend; changes in hours of operation for Suffolk Public Library; Finance Director Lenora Reid on the receipt of the Chartered Global Management Accountant designation; a report from the Suffolk Police Department regarding lower crime rates in Suffolk; the recent Suffolk Police Department Badge Pinning Ceremony; the upcoming Whaleyville Community Center Ribbon Cutting; the recent Mrs. Linda's Kitchen Ribbon Cutting; the upcoming Suffolk Humane Society adopt-a-thon; Zumba classes at the East Suffolk Recreation Center; the upcoming Groundhog Day Celebration at the Visitor's Center; and the Suffolk On The Alert program.

Council Member Goldberg acknowledged the contributions of the Western Tidewater Free Clinic.

ORDINANCES

Ordinance – An ordinance amending the proffered conditions associated with Rezoning Request RZ-02-2014, Zoning Map 33A, Parcels M34, BT*35 and BT*36, Ricky's Custom Carts

Utilizing a PowerPoint presentation, Planning and Community Development Director Mills provided a summation of the background information as printed in the official agenda.

Council Member Duman, on a motion seconded by Council Member Fawcett, moved to approve the ordinance, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

AN ORDINANCE AMENDING THE PROFFERED CONDITIONS ASSOCIATED WITH REZONING REQUEST RZ-02-2014, ZONING MAP 33A, PARCELS M34, BT*35 AND BT*36, RICKY'S CUSTOM CARTS

RESOLUTIONS

Resolution – A resolution authorizing the acceptance of the conveyance of the land currently known as the Southwestern Elementary School

Utilizing a PowerPoint presentation, Capital Programs and Buildings Director Gerry Jones submitted a summary of the background information as printed in the official agenda.

Referring to the presentation, Council Member Duman queried about the amount of acreage on the site. Capital Programs and Buildings Director Jones reported the site is 19 acres.

Referring to the presentation, Council Member Duman inquired about feasibility of future joint uses of the site with Suffolk Public Schools. Capital Programs and Buildings Director Jones indicated that it might be possible to use the site for future joint City/School uses.

Council Member Johnson, on a motion seconded by Council Member Fawcett, moved to approve the resolution, as presented:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE CONVEYANCE OF THE LAND CURRENTLY KNOWN AS THE SOUTHWESTERN ELEMENTARY SCHOOL

STAFF REPORTS

There were no items under this portion of the agenda.

Public Hearing – An ordinance granting a Conditional Use Permit to establish a contractor and trade shop (indoor operations and outdoor storage, including heavy vehicles), on property located at 5474 Nansemond Parkway, Zoning Map 20B, Parcel B10; C22-14

Utilizing a PowerPoint presentation, Planning and Community Development Director Mills gave a review of the background information as printed in the official agenda.

Hearing no speakers, the public hearing was closed.

Council Member Goldberg, on a motion seconded by Council Member Fawcett, moved to approve the ordinance, as presented, with conditions, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A CONTRACTOR AND TRADE SHOP (INDOOR OPERATIONS AND OUTDOOR STORAGE, INCLUDING HEAVY VEHICLES), ON PROPERTY LOCATED AT 5474 NANSEMOND PARKWAY, ZONING MAP 20B, PARCEL B10; C22-14

Public Hearing - An ordinance granting a Conditional Use Permit to establish an amusement/entertainment/recreation center (indoor) on property located at 1984 Northgate Commerce Parkway, Zoning Map 20, Parcel(s) 22E*8A, 22E*8B, 22E*8C, 22E*8D, 22E*8E, and 22E*8F; C27-14

Utilizing a PowerPoint presentation, Planning and Community Development Director Mills offered a report on the background information as printed in the official agenda.

Daniel Stevens, no address given, applicant, spoke in support of the proposed ordinance as presented.

Hearing no additional speakers, the public hearing was closed.

Vice Mayor Bennett, on a motion seconded by Council Member Duman, moved to approve the ordinance, with conditions, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ESTABLISH AN AMUSEMENT/ENTERTAINMENT/RECREATION CENTER (INDOOR) ON PROPERTY LOCATED AT 1984 NORTHGATE COMMERCE PARKWAY, ZONING MAP 20, PARCEL(S) 22E*8A, 22E*8B, 22E*8C, 22E*8D, 22E*8E, AND 22E*8F; C27-14

Referring to Consent Agenda Item #11, Council Member Duman opined about the feasibility of using any of the remaining funds from Virginia Department of Transportation Revenue Sharing Program for other projects. Assistant Public Works Director Hansen explained that the City was recently notified by the Virginia Department of Transportation that the Revenue Share application does not meet the eligibility requirements of the program. He added that as the program's application deadline has passed, the City has received an extension to submit only the projects totaling $885,000 as listed in the background information printed in the official agenda.

Referring to Consent Agenda Item #11, Council Member Fawcett called for a clarification of the location of the College Drive Sidewalk project. Assistant Public Works Director Hansen advised the sidewalk would be between Applebee's and Chick-fil-a.

Referring to Consent Agenda Item #11, Council Member Ward asked if the Old College Drive Drainage Improvements project would resume at the terminus of the previous improvement project. Assistant Public Works Director Hansen replied in the affirmative.

Council Member Duman, on a motion seconded by Council Member Fawcett, moved to approve the Consent Agenda, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

PUBLIC HEARINGS

Public Hearing – An ordinance granting a Conditional Use Permit to establish an accessory dwelling unit on property located at 2336 Box Elder Road, Zoning Map 52, Parcel 34D; C21-14

Utilizing a PowerPoint presentation, Planning and Community Development Director D. Scott Mills submitted a summary of the background information as printed in the official agenda.

Hearing no speakers, the public hearing was closed.

Referring to the presentation, Council Member Duman called for clarification of condition (e) regarding the prohibition of the rental of the proposed apartment to the general public. Planning and Community Development Director Mills explained that only a member of the applicant's family could rent the apartment.

Council Member Milteer, on a motion seconded by Council Member Goldberg, moved to approve the ordinance, as presented, with conditions, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH AN ACCESSORY DWELLING UNIT ON PROPERTY LOCATED AT 2336 BOX ELDER ROAD ZONING MAP 52, PARCEL 34D, C21-14

Consent Agenda Item #8 - An ordinance to accept and appropriate funds from the Congestion Mitigation and Air Quality Improvement Program funding from the Virginia Department of Transportation for the Bridge Road and Bennett's Pasture Road Intersection Improvement Project, the Portsmouth Boulevard Park and Ride Lot Improvements Project and the Godwin Boulevard Park and Ride Lot Improvements Project

Consent Agenda Item #9 - An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport

Consent Agenda Item #10 - An ordinance to accept and appropriate a grant from the Virginia Office of Emergency Medical Services Rescue Squad Assistance Fund for the Suffolk Department of Fire and Rescue

Consent Agenda Item #11 - A resolution authorizing participation in the Virginia Department of Transportation Revenue Sharing Program for Fiscal Year 2016

Consent Agenda Item #12 - A resolution authorizing the City Manager to execute a Cost Sharing and Ownership Agreement with the Hampton Roads Sanitation District

Council Member Fawcett sought an explanation of Consent Agenda Items #8, #10 and #12 - an ordinance to accept and appropriate funds from the Congestion Mitigation and Air Quality Improvement Program funding from the Virginia Department of Transportation for the Bridge Road and Bennett's Pasture Road Intersection Improvement Project, the Portsmouth Boulevard Park and Ride Lot Improvements Project and the Godwin Boulevard Park and Ride Lot Improvements Project; an ordinance to accept and appropriate a grant from the Virginia Office of Emergency Medical Services Rescue Squad Assistance Fund for the Suffolk Department of Fire and Rescue; and a resolution authorizing the City Manager to execute a Cost Sharing and Ownership Agreement with the Hampton Roads Sanitation District, respectively.

Council Member Duman called for a summary of Consent Agenda Item #11 - a resolution authorizing participation in the Virginia Department of Transportation Revenue Sharing Program for Fiscal Year 2016.

Referring to Consent Agenda Item #7, City Manager Cuffee-Glenn submitted a review of the background information as printed in the official agenda.

Referring to Consent Agenda Item #8, Assistant Public Works Director L.J. Hansen offered a summation of the background information as printed in the official agenda.

Referring to Consent Agenda Item #9 and #10, City Manager Cuffee-Glenn gave an overview of the background information as printed in the official agenda.

Referring to Consent Agenda Item #11 and utilizing a PowerPoint presentation, Assistant Public Works Director Hansen provided a report on the background information as printed in the official agenda.

APPROVAL OF THE MINUTES

Council Member Fawcett, on a motion seconded by Council Member Ward, moved to approve the minutes from the December 3, 2014, and December 17, 2014, Work Sessions and Regular Meetings, as presented, by the following vote:

AYES:	Mayor L. Johnson, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	7
NAYS:	None	0
ABSTAIN:	Vice Mayor Bennett	1

SPECIAL PRESENTATIONS

There were no items under this portion of the agenda.

REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ADOPTION OF THE AGENDA

Mayor Johnson asked if any members of City Council wished to remove any Consent Agenda items for separate action.

Council Member Milteer asked for a report on Consent Agenda Item #9 - an ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport.

Hearing no requests for removal any of the items, Mayor Johnson advised that a motion was in order at this time to adopt the agenda as outlined.

Council Member Duman, on a motion seconded by Council Member Fawcett, moved to adopt the agenda as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

AGENDA SPEAKERS

There were no speakers under this portion of the agenda.

CONSENT AGENDA

City Clerk Dawley presented the following Consent Agenda items:

Consent Agenda Item #7 - An ordinance to accept and appropriate grant funds from the Obici Healthcare Foundation for the purchase of supplies for the City of Suffolk Sheriff Department

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, January 21, 2015, at 7:00 p.m.

PRESENT
Council Members -
Linda T. Johnson, Mayor, presiding
Leroy Bennett, Vice Mayor
Michael D. Duman
Roger W. Fawcett
Donald Z. Goldberg
Timothy J. Johnson
Curtis R. Milteer, Sr.
Lue R. Ward, Jr.

Selena Cuffee-Glenn, City Manager
Helivi L. Holland, City Attorney
Erika S. Dawley, City Clerk

ABSENT
None

CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Johnson called the meeting to order. Council Member Milteer offered the Invocation, and Joseph Askew, Boy Scout Troop #1, led the Pledge of Allegiance to the Flag.

FREEDOM OF INFORMATION ACT CERTIFICATION

City Clerk Dawley presented a resolution certifying the Closed Meeting of January 21, 2015, pursuant to Section 2.2-3712 of the Code of Virginia (1950), as amended.

Council Member Milteer, on a motion seconded by Council Member Duman, moved that the resolution be approved, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF JANUARY 21, 2015, PURSUANT TO SECTION 2.2-3712 OF THE CODE OF VIRGINIA (1950), AS AMENDED

Special Presentations

Removal of Items from the Consent Agenda and Adoption of the Agenda

Agenda Speakers

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Consent Agenda** – An ordinance to accept and appropriate funds from the Virginia Department of Transportation for the Nansemond Parkway Phase II Improvements Project

The Virginia Department of Transportation has allocated funds to the Nansemond Parkway Phase II Improvements project from a variety of funding sources over the last several years. In order to financially close out the Nansemond Parkway/Shoulders Hill Road (Phase I) project and to complete right of way acquisition and provide for construction of the Nansemond Parkway Phase II Project, it is necessary to reflect the VDOT funds as revenue in the project account as well as allocate local funds from the CIP contingency to the project's revenue account. Accordingly, this ordinance will accept and allocate the funds to the appropriate project accounts.

BUDGET IMPACT:

Adoption of the attached ordinance will increase the FY 2014-15 Capital Fund Budget by $9,061,000 for the above noted purposes and requires $927,592 local fund support which is provided for in the FY 2014-15 Capital Fund Budget.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Appendix A

ORDINANCE NO. _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE NANSEMOND PARKWAY PHASE II IMPROVEMENTS PROJECT

WHEREAS, the Virginia Department of Transportation has allocated funding to the Nansemond Parkway Phase II Improvements Project; and,

WHEREAS, the following funds received from the Virginia Department of Transportation must be accepted and appropriated to the Capital Fund Budget for Fiscal Year 2014-15 to provide for the acquisition of right of way and for the construction of improvements for the aforementioned project.

Secondary Formula Funds	$3,092,000
Federal Surface Transportation Funds	$2,730,000
State Match Federal Surface Transportation Funds	$ 422,000
Regional Federal/State Surface Transportation Funds	$1,000,000
State/Federal Formula Urban Funds	$1,817,000

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Suffolk, Virginia, that:

1. The sum of $9,061,000 shall be reflected as budget in the following accounts in the Fiscal Year 2014-15 Capital Fund budget:

Revenue		
310-41100-3052_424030.140	Public Works VDOT Funds	$9,061,000
Expense		
310-41100-3052_53850.140	Construction Contracts VDOT	$9,061,000

2. The fund amount totaling $9,061,000 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 14-O-037, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED:_____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

Locally Administered Appendix A- Revised 3/22/2013

Project Number: 0337-133-101 UPC: 61407 Locality: City of Suffolk Date 3/22/2013

Project Location ZIP+4: 23435	Locality DUNS# 066024845	Locality Address (incl ZIP+4): 440 Market Street Suffolk, VA 23434

Project Narrative

Scope:	Widen to 4 lanes
From:	0.37 Mile E of Shoulder Hill Road (Rt 626)
To:	0.75 Mile E of Shoulder Hill Road (Rt 626)
Locality Project Manager Contact info:	Sherry Earley, P.E. (757) 514-7703
Department Project Coordinator Contact Info:	Bhoomi Vala (757) 925-2582

Project Estimates

	Preliminary Engineering	Right of Way and Utilities	Construction	Total Estimated Cost
Estimated Locality Project Expenses	$509,126	$3,804,000	$5,209,738	$9,522,864
Estimated VDOT Project Expenses	$46,342	$3,000	$12,000	$61,342
Estimated Total Project Costs	$555,468	$3,807,000	$5,221,738	$9,584,206

Project Cost and Reimbursement

Phase	Estimated Project Costs	Funds type *(Choose from drop down box)*	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement - Est. VDOT Expenses)
Preliminary Engineering	$555,468	Secondary	0%	$0	$555,468	
				$0	$0	
Total PE	$555,468			$0	$555,468	$509,126
Right of Way & Utilities	$2,531,515	Secondary	0%	$0	$2,531,515	
	$1,275,485	Federal Formula	0%	$0	$1,275,485	
			0%	$0	$0	
Total RW	$3,807,000			$0	$3,807,000	$3,804,000
Construction	$834,240	Federal Formula	0%	$0	$834,240	
	$1,000,000	RSTP	0%	$0	$1,000,000	
	$2,918,271	Urban	2%	$58,365	$2,859,906	
	$469,227	Local Funds	100%	$469,227	$0	
Total CN	$5,221,738			$527,592	$4,694,146	$4,682,146
Total Estimated Cost	$9,584,206			$527,592	$9,056,614	$8,995,272

Total Maximum Reimbursement by VDOT to Locality (Less Local Share)	$9,056,614
Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)	$8,995,272

Project Financing

Formula Secondary		RSTP	Match	Federal Formula	Match	Urban	Local Match	Local Funds		Aggregate Allocations (A+B+C+D+E+F)
$3,086,983		$800,000	$200,000	$1,687,780	$421,945	$2,859,905	$58,366	$469,227		$9,584,206

Program and project Specific Funding Requirements

- This project shall be administered in accordance with VDOT's Locally Administered Projects Manual
- The project will be constructed and maintained in accordance with VDOT's Urban Manual
- The municipality will continue to operate and maintain the facility as constructed. Should the design features of the project be altered by the Municipality subsequent to project completion without the approval of the Department, the municipality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department .

- This is a limited funds project. The locality shall be responsible for any additional funding in excess of $9,114,979
- This Appendix A supersedes any previously listed funding schedule.
- VDOT has billed $0.00 (dollar amount) the locality for this project as of 3/22/2013 (date)
- VDOT has received $0.00 (dollar amount) from the locality for this project as of 3/22/2013 (date)
- **Total project allocations: $9,584,206**
- This project is funded with federal-aid Regional Surface Transportation Program (RSTP) funds. By Appropriations Act, these funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.
  - FY14 - $1,000,000 Allocation by the CTB, Obligation Deadline 7/1/2015, Expenditure Deadline 7/1/2018

This attachment is certified and made an official attachment to this document by the parties to this agreement

Authorized Locality Official and date

Typed or printed name of person signing

Authorized VDOT Official Recommendation and Date

Typed or printed name of person signing

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Consent Agenda** – An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport

The City has received $396.32 in funding from the Commonwealth of Virginia Department of Aviation in support of the Suffolk Executive Airport. The funding will be used to replace REIL Flash Tube for Runway 4.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Aviation Facilities Fund for Fiscal Year 2014-15.

BUDGET IMPACT:

Adoption of the ordinance will increase the planned revenues and expenditures of the Aviation Facilities Fund budget by $396.32 for the above noted purpose and requires $99.08 in local fund support which is provided for in the FY 2014-15 Aviation Facilities Fund budget.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Grant Agreement

ORDINANCE NUMBER _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF AVIATION FOR THE SUFFOLK EXECUTIVE AIRPORT

WHEREAS, the City has received funds in the amount of $396.32 from the Commonwealth of Virginia Department of Aviation in support of the Suffolk Executive Airport; and,

WHEREAS, the funds received need to be accepted and appropriated to the Aviation Facilities Fund budget for Fiscal Year 2014-15 for replacement of REIL Flash Tube for Runway 4.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of $396.32 shall be reflected as budget in the following accounts in the Fiscal Year 2014-15 Aviation Facilities Fund budget:

Revenue		
220_424140.110	Categorical Aid-State Airport Maintenance Funds	$396.32
Expenditure		
220-150000_53300.110	Maintenance Service – State	$396.32

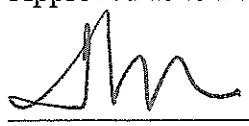
2. The fund amount totaling $396.32 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 14-O-037, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:



Helivi L. Holland, City Attorney

Department of Aviation Commonwealth of Virginia

Project Information Summary

Suffolk Executive Airport

Project Title: Replace REIL Flash Tube Rny 4

Program Year: 2015
Request Year:
Project Type: Maintenance
Project Category: Construction

Project Number: MT0050-30
Contract Number:
Item Number:
AIP Grant Number:
Project Status: Granted

Federal Priority Score: 0
State Priority Score: 80

Project Description: Replace REIL Flash tube while on site for other work

Project Notes: DOAV participation rate of 80/20. Please contact DOAV to coordinate any costs above the allocation amount before the costs are incurred. Costs incurred before DOAV approval can't be reimbursed.

Budget Summary by Budget Item:

Budget Item	Original Budget	Current Budget
Request	$0.00	$495.40
Project Total:	**$0.00**	**$495.40**

Budget Summary by Funding Source:

Funding Source	Original Budget	Current Budget
FAA	$0.00	$0.00
Local	$0.00	$99.08
State\AC/R Discretionary	$0.00	$0.00
State\Air Service Development	$0.00	$0.00
State\Aviation Promotion	$0.00	$0.00
State\F&E	$0.00	$0.00
State\GA Discretionary	$0.00	$0.00
State\Maintenance	$0.00	$396.32
State\Security	$0.00	$0.00
Project Total:	**$0.00**	**$495.40**

Project Miscellaneous Items:

Miscellaneous Item	Date	Comment
VAB Remarks		
TA approved		
application received		
grant offer date		
effective date	01/28/2015	
expiration date	06/15/2015	
project closed		
process closeout		

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Consent Agenda -** An ordinance to accept and appropriate funds from the Public Safety Answering Point Grant Program for the Suffolk Police Department Emergency Communication Center

The City has received $54,367.60 in funding from the FY 16 Public Safety Answering Point (PSAP) Grant Program in support of a portable back-up communication center for the Suffolk Police Department Emergency Communication Center.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Consolidated Grants Fund budget for Fiscal Year 2014-15.

BUDGET IMPACT:

Adoption of the ordinance will increase the planned revenues and expenditures of the Consolidated Grants Fund budget by $54,367.60 for the above noted purpose and requires $13,591.90 in local fund support which is provided for in the FY 2014-15 Grant Fund budget.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Award Letter

ORDINANCE NUMBER _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE PUBLIC SAFETY ANSWERING POINT GRANT PROGRAM FOR THE SUFFOLK POLICE DEPARTMENT EMERCENCY COMMUNICATION CENTER

WHEREAS, the City has received funds in the amount of $54,367.60 from the FY 16 Public Safety Answering Point Grant Program in support of the Suffolk Police Department Emergency Communication Center; and,

WHEREAS, the funds received need to be accepted and appropriated to the Consolidated Grants Fund budget for Fiscal Year 2014-15 to purchase back-up communication equipment for the Suffolk Police Department Emergency Communication Center.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of $54,367.60 shall be reflected as budget in the following accounts in the Fiscal Year 2014-15 Consolidated Grants Fund budget:

Revenue		
211-31400-1563_424011	PSAP CommBackup 111;12-17	$54,367.60
Expenditure		
211-31400-1563_58200	Capital Outlay	$54,367.60

2. The fund amount totaling $54,367.60 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 14-O-037, as amended. The City Manager is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED:_____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

COMMONWEALTH of VIRGINIA

Virginia E-911 Services Board

Dorothy Spears-Dean
PSC Coordinator
(804) 416-6201

Terry D. Mayo
Board Administrative Assistant
(804) 416-6197

January 8, 2015

Jeffrey D. Stern
Chairman
VDEM

Chief Doug Middleton
Henrico County
Vice Chairman

David A. Von Moll
Treasurer
Comptroller

J.D. Diggs
York County

Danny Garrison
Richmond Ambulance Authority

Diane Harding
Verizon Wireless

Pokey Harris
Washington County

Jim Junkins
Harrisonburg-Rockingham ECC

Lt. Colonel Robert Kemmler
Virginia State Police

Robert Layman
AT & T

Chief Anthony McDowell
Henrico County

Sam Nixon
VITA

David Ogburn
Verizon

Athena Plummer
City of Virginia Beach

Kathleen Seay
Hanover County

Brandon Smith
Office of the Governor
Advisor

Sergeant Sandy Springle
Suffolk City ECC
111 Henley Place
Suffolk, VA 23434

Dear Sgt. Springle:

This letter is in reference to your grant application for consideration under the FY16 PSAP Grant Program for a fixed backup center project, Grant ID 111. I am pleased to advise you that the Virginia E-911 Services Board has approved your request. You have been awarded $54,367.60. Please be advised that this award requires a 20% match of local funds. Based on the total project cost of $67,959.50, this amount is $13,591.90.

Funding for this grant award will be available for payment reimbursement beginning July 1, 2015. The PSAP Grant Program has a grant cash disbursement policy of reimbursement. All funding requests must be submitted on the Public Safety Grant Payment Request Form, which is available on the ISP website. The invoice(s) that substantiates the amount requested must be attached to the request form when submitted for funding payment.

An annual Financial and Programmatic Report will be required for this grant award until the project is complete. Upon project completion, you will need to close out the grant award with a final Financial and Programmatic Report.

Finally, in order for a funding request to be processed, the PSAP must have already submitted any required financial and grant progress reports for any previous fiscal years by the identified deadline, unless an exception has been granted by the PSC Coordinator. This includes required submission of any true-ups and supporting documentation.

If you have any questions, please do not hesitate to contact your Regional Coordinator or me via email.

Congratulations on your grant award!

Sincerely,

Lisa Nicholson

Lisa Nicholson
Public Safety Program Manager

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Consent Agenda** – An ordinance to accept and appropriate funds from Virginia Municipal League to the City of Suffolk Risk Management

The City received $1,464 from the Virginia Municipal League to ensure employees within Risk Management have the certifications, knowledge and tools to conduct playground safety inspections according to national standards.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Consolidated Grants Fund for Fiscal Year 2014-2015.

BUDGET IMPACT:

Adoption of the ordinance will increase the planned revenues and expenditures of the Consolidated Grants Fund by $1,464 for the above noted purpose and requires no local fund support.

RECOMMENDATIONS:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Award Notification

ORDINANCE NUMBER _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE VIRGINIA MUNICIPAL LEAGUE TO THE CITY OF SUFFOLK RISK MANAGEMENT

WHEREAS, the City has received funds in the amount of $1,464 from the Virginia Municipal League in support of the City of Suffolk Risk Management; and

WHEREAS, the funds received need to be accepted and appropriated to the Consolidated Grants Fund Budget for the Fiscal Year 2014-15 to assist with the certification, knowledge and tools to conduct playground safety inspections according to national standards.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia that:

1. The sum of $1,464 shall be reflected as budget in the following accounts in the Fiscal Year 2014-15 Consolidated Grants Fund budget:

Revenue		
211-12550-1516_418990	VML RiskMgmt 022;06-15	$1,464
Expenditure	VML RiskMgmt 022;06-15	
211-12550-1516_56014	Other Operating Supplies	$1,464

2. The fund amount totaling $1,464 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 14-O-037, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

VML INSURANCE PROGRAMS
Virginia's Local Government Specialists™

January 20 , 2015

Ms. Donna Vogel
Risk, Benefits & Wellness Manager
City of Suffolk
442 West Washington St.,
Suffolk, VA 23434

Re: 2014-2015 Risk Management Grant VML #022 Qualifying Level: Tier III

Pending Reimbursement	*Application Received*	*Description of Items Eligible for Reimbursement*
$1,464.00	1/12/2015	Playground Inspection kit, forms, manual, Training Course and exam

Dear Ms. Vogel:

This notice serves as confirmation of receipt of your Risk Management Grant application. This is not guarantee of reimbursement. Please read the following carefully:

Upon reviewing your request, we have determined that it meets the program guidelines for participation.

- If you have not already done so, please submit proof of purchase consistent with the options offered in the Risk Management Grant FAQ document which can be referenced on our website at www.vmlins.org.

- Grant awards will be reserved for 60 days from the date your application was received. If receipts are not received within this time frame, reserved funds will be made available to the next eligible applicant.

- Reimbursements can still be claimed after 60 days have passed, if funds remain available. However, funds are not guaranteed.

- Grants will be awarded on a first-come, first-serve basis as long as funds remain.

Grant checks are processed approximately 60 days after receipts are received and are mailed to the attention of the grant applicant.

Please call me at 804-237-7326 or e-mail me at brosenthal@vmlins.org with questions. Thank you for allowing us to enhance your risk management program efforts through grant funding.

Sincerely,

B. Rosenthal

Beth A. Rosenthal
Director of Safety Services

cc: Ms. Selena Cuffee-Glenn,City Manager
Mr. Matt Reid

P.O. Box 3239 | Glen Allen | Virginia | 23058 | (804) 273-0038 | (800) 963-6800 | Fax: (804) 273-0560 | www.vmlins.org

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Consent Agenda** – A resolution requesting the Virginia Department of Transportation to make certain additions and deletions to the Urban Highway System

The streets that are listed on the attached U-1 Forms entitled, "Urban Division VDOT, Request for Street Addition or Deletions for Municipal Assistance Payments Section 33.1-41.1 of the Code of Virginia," have been reviewed by the City and found to meet the requirements for additions into the State Urban Highway System in accordance with Section 33.1-41.4 of the 1950 Code of Virginia as amended.

RECOMMENDATION:

Approve the resolution

ATTACHMENTS:

Resolution
U-1 Forms (7 pages)
Supporting Map Documents (20 pages)

RESOLUTION NO._____

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO MAKE CERTAIN ADDITIONS AND DELETIONS TO THE URBAN HIGHWAY SYSTEM

WHEREAS, it is a requirement of the City of Suffolk Resolution Number 07-R-009 that the City Manager shall make the request to the Virginia Department of Transportation for all additions to the Urban Highway System in said City; and,

WHEREAS, the streets listed on the attached Form U-1, entitled "Urban Division VDOT, Request for Street Additions or Deletions for Municipal Assistance Payments, Section 33.1-41.1 of the Code of Virginia," have been reviewed by the City and found to meet the requirements for additions to the State Urban Highway System in accordance with Section 33.1-41.4 of the 1950 Code of Virginia as amended.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Suffolk, Virginia, that:

1. The City Manager is authorized to request that 15.06 center line miles, or 30.68 total lane miles of existing collector/local streets, be added into the State Urban Highway System as reflected on the above-mentioned U-1 Forms.

BE IT FURTHER RESOLVED that a copy of this request be forwarded to the Virginia Department of Transportation.

READ AND ADOPTED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

Form U-1
(Rev. 1-1-87)

URBAN DIVISION
VDOT

REQUEST FOR STREET ADDITIONS OR DELETIONS FOR MUNICIPAL ASSISTANCE PAYMENTS
Section 33.1-4 1.1
Code of Virginia

ADDITIONS OF EXISTING ARTERIAL STREETS

MUNICIPALITY City of Suffolk

STREET NAME ROUTE NUMBER *	TERMINI FROM	TO	R/W WIDTH (FEET)	PAVEMENT WIDTH (FEET)	CENTER-LINE MILES	NUMBER OF LANES	LANE MILES	FUNC. CLASS. (TPD USE ONLY)
Harbour Towne Parkway	Harbour View Blvd.	End	100'-80' Variable	49' Variable	0.20	4	0.80	
Harbour Towne Parkway	Harbour View Blvd.	Bon Secours Drive	90'-70' Variable	36'-39' Variable	0.43	2	0.86	
Benson Court	Chatham Road	cul de sac	50'	26'	0.75	2	1.50	
Clearcreek Road	Redgate Drive	Stonecreek Drive	50'	25'	0.13	2	0.26	
Redgate Drive	Suburban Drive	Redgate Drive Bridge	60'	34'	0.31	2	0.62	
Rockcreek Lane	Pin Oak Drive	cul de sac	50'	25'	0.08	2	0.16	
Stonecreek Drive	Kansas Street	Rockcreek Drive	50'	25'	0.33	2	0.66	
Meadow View Blvd	Shoulders Hill Road	Childress Street	80'	16'	0.115	2	0.23	
Childress Street	Bennetts Meadow Lane	End	60'	26'	0.105	2	0.21	
Bennetts Meadow Ln	Childress Street	Childress Street	40'	22'	0.095	2	0.19	
Meridian Place	Meadow View Blvd	End	50'	26'	0.09	2	0.18	

*COUNCIL RESOLUTION & MAP ATTACHED

SIGNED _____
MUNICIPAL OFFICIAL DATE

SIGNED _____
RESIDENT ENGINEER DATE

CLASSIFIED BY _____
TPD ENGINEER DATE

Submit to:Resident Engineer in Triplicate

Form U-1
(Rev. 1-1-87)

URBAN DIVISION
VDOT

REQUEST FOR STREET ADDITIONS OR DELETIONS FOR MUNICIPAL ASSISTANCE PAYMENTS
Section 33.1-4 1.1
Code of Virginia
ADDITIONS OF EXISTING ARTERIAL STREETS

MUNICIPALITY City of Suffolk

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West Falcon Street	Nansemond Parkway	Cul-de-sac	50'	27	0.16	2	0.32	
King Street	Woodshire Way	Cul-de-sac	50'	26	0.10	2	0.20	
Woodshire Way	Nasemond Parkway	Cul-de-sac	50'	27	0.21	2	0.42	
Sweetwood Drive	Meade Dr	End	50'	26'	0.28	2	0.56	
Fox Run Place	Meade Dr	Sweetwood Dr	50'	26'	0.13	2	0.26	
Brian's Lane	Cul-de-sac	End	50'	24'	1.12	2	2.24	
Derricks Lane	Brian's Lane	Brian's Lane	50'	24'	0.10	2	0.20	
Elmore Circle	Brian's Lane	Brian's Lane	40'	20'	0.18	2	0.36	
Heath Drive	Turlington Rd	Brian's Lane	50'	24'	0.05	2	0.10	
Rachels Drive	Turlington Rd	Brian's Lane	60'	32'	0.19	2	0.38	
Bon Secours Drive	Harbour View Blvd.	Harbour Towne Pkwy	90'	28'-36' Variable	0.295	2	0.59	

* COUNCIL RESOLUTION & MAP ATTACHED

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Section 33.1-4 1.1
Code of Virginia
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Foxworth Court	Ashford Dr.	Cul-de-sac	50'	25	0.03	2	0.06	
Collier Crescent	Osceola Ave.	Cul-de-sac	50'	24	0.15	2	0.30	
Mintonville Point Dr.	Extension	Cul-de-sac	50'	26'	0.03	2	0.06	
Mintonville Point Dr.	Glebe Point Rd.	Cul de sac	50	26	0.51	2	1.02	
Capps Creek Drive	Shannon Ln.	Nansemond River Dr.	50	26	0.32	2	0.64	
Shannon Lane	Mintonville Point Dr.	Capps Creek Dr.	50	26	0.10	2	0.20	
Cullen Lane	Capps Creek Dr.	Nansemond River Dr.	50	26	0.16	2	0.32	
Edgewater Lane	Capps Creek Dr.	Nansemond River Dr.	50	26	0.14	2	0.28	
Nansemond River Dr	Glebe Point Rd.	Cul de sac	60	37	0.70	2	1.40	
Coulbourn Drive	Nansemond River Dr.	Cul de sac	50	26	0.21	2	0.42	
Evans Circle	Nansemond River Dr	Nansemond River Dr.	50	26	0.43	2	0.86	

* COUNCIL RESOLUTION & MAP ATTACHED

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Section 33.1-4 1.1
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MUNICIPALITY City of Suffolk

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Tuliptree Circle	Piedmont Rd.	Piedmont Rd.	50	25'	0.23	2	0.46	
Juniper Lane	Tuliptree Circle	Tuliptree Circle	50	25'	0.07	2	0.14	
Ivy Lane	Bennetts Creek Park Rd.	Piedmont Rd.	50	25'	0.07	2	0.14	
Sage Lane	Bennetts Creek Park Rd.	Elderberry Rd.	50	25'	0.03	2	0.06	
Cherry Hill Lane	Piedmont Rd.	Parkside Circle	50	25'	0.05	2	0.10	
Elderberry Road	Parkside Circle	Cul de sac	50	24'	0.31	2	0.62	
Piedmont Road	Cherry Hill Ln.	Elderberry Rd.	50	26'	0.35	2	0.70	
Alder Place	Piedmont Rd.	Piedmont Rd.	50	20'	0.19	2	0.38	
Parkside Circle	Bennetts Creek Park Rd	Parkside Circle	60'	32'	0.335	2	0.67	
Duke Street	Oxford Street	Dead End	40	24'	0.05	2	0.10	
Roy Street	Oxford Street	Dead End	30	18'	0.04	2	0.08	

* COUNCIL RESOLUTION & MAP ATTACHED

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Submit to:
Resident Engineer in Triplicate

Form U-1
(Rev. 1-1-87)

URBAN DIVISION
VDOT

REQUEST FOR STREET ADDITIONS OR DELETIONS
FOR MUNICIPAL ASSISTANCE PAYMENTS
Section 33.1-4 1.1
Code of Virginia
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MUNICIPALITY City of Suffolk

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Boundary Drive	Kings Fork Road	Queens Point Dr.	60'	32'	0.405	2	0.81	
Queens Point Drive	Queens Point Dr.	Queens Point Dr.	50'	24'	0.395	2	0.79	
Queens Point Drive	Kings Grant	Queens Point Dr.	60'	32'	0.34	2	0.68	
Duke of Glouchester Drive	Queens Point Drive	Queens Point Drive	50'	25'	0.14	2	0.28	
Duke of Norfolk Drive	Queens Point Dr	Duke of Glouchester Dr	50'	22'	0.065	2	0.13	
Duke of York Drive	Queens Point Dr	Duke of Glouchester Dr	50'	22'	0.065	2	0.13	
Kingston Parkway	Duke of Gloucester Dr	Colt Street	50'	24'	0.37	2	0.74	
Colt Street	Kingston Parkway	Phase Line	50'	28'	0.027	2	0.054	
Windward Lane	Bridge Road	Windward Lane	50'	26'	0.68	2	1.36	
Topsail Court	Windward Lane	cul de sac	50'	26'	0.06	2	0.12	

*COUNCIL RESOLUTION & MAP ATTACHED

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Section 33.1-4 1.1
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MUNICIPALITY City of Suffolk

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Ketchee Court	Windward Lane	cul de sac	50'	26	0.09	2	0.18	
Jib Court	Ketchee Court	cul de sac	50'	26'	0.03	2	0.06	
Breezeport Way	Windward Lane	Windward Lane	50'	26'	0.11	2	0.22	
Breezeport Way	Windward Lane	End of Phase 1	60'	36'	0.023	3	0.07	
Jehu Street	Canaan Circle	Canaan Circle	50'	24'	0.12	2	0.24	
Zebulon Court	Canaan Circle	cul de sac	50'	24'	0.11	2	0.22	
Canaan Circle	Levi Soloman Way	Levi Soloman Way	50'	24'	0.58	2	1.16	
Calvin Street	Canaan Circle	Jehu Street	50'	24'	0.14	2	0.28	
Levi Soloman Way	Breezeport Way	Plummer Boulevard	60'	32'	0.31	2	0.62	
Plummer Boulevard	Bridge Road	Levi Soloman Way	110'	26'	0.0725	4	0.29	

* COUNCIL RESOLUTION & MAP ATTACHED

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Form U-1
(Rev. 1-1-87)

URBAN DIVISION
VDOT

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Mainsail Lane	Windward Lane	Mainsail Lane	50'	26'	0.82	2	1.64	
Porthole Place	Mainsail Lane	Mainsail Lane	50'	26'	0.15	2	0.30	

* COUNCIL RESOLUTION & MAP ATTACHED

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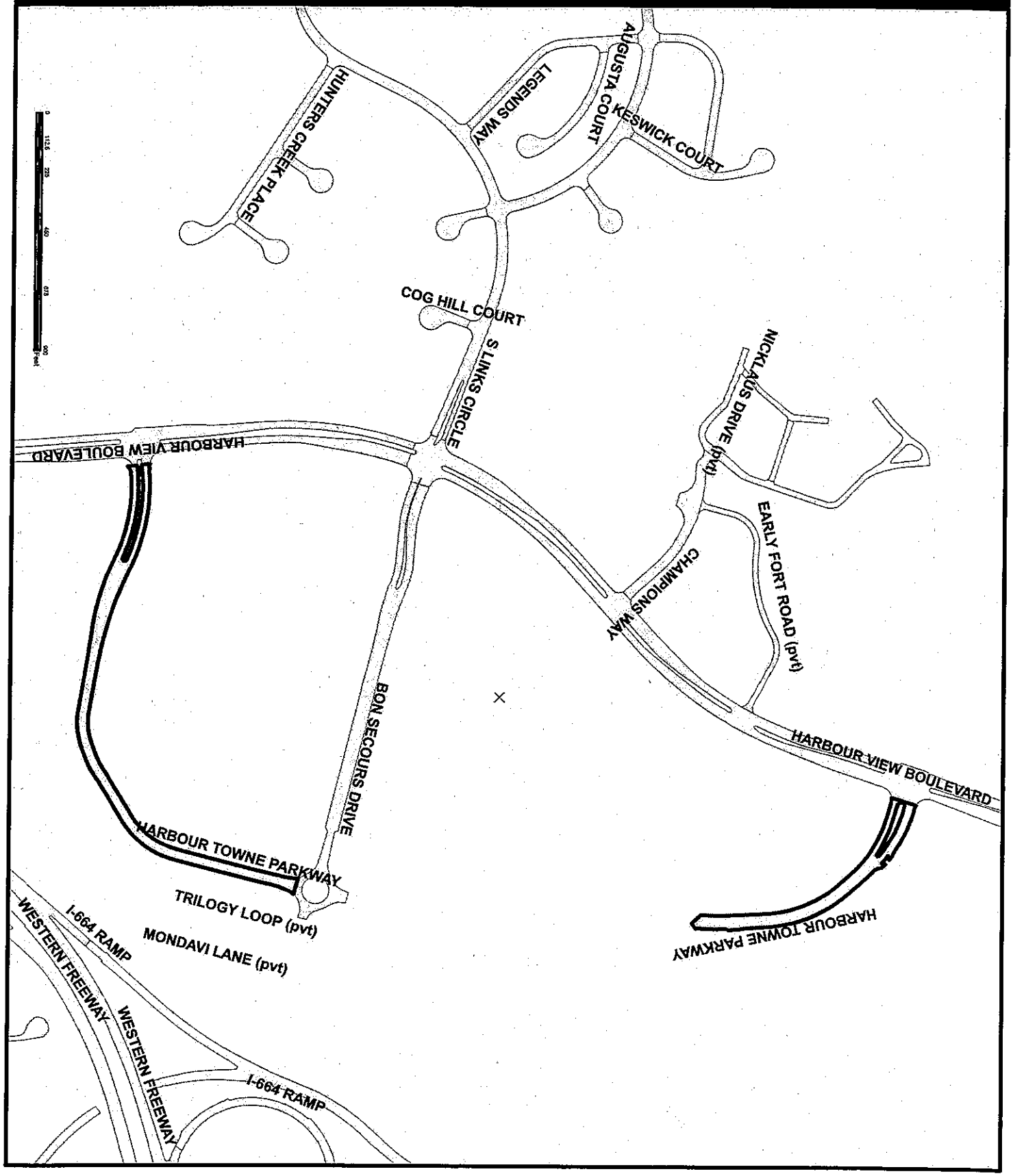
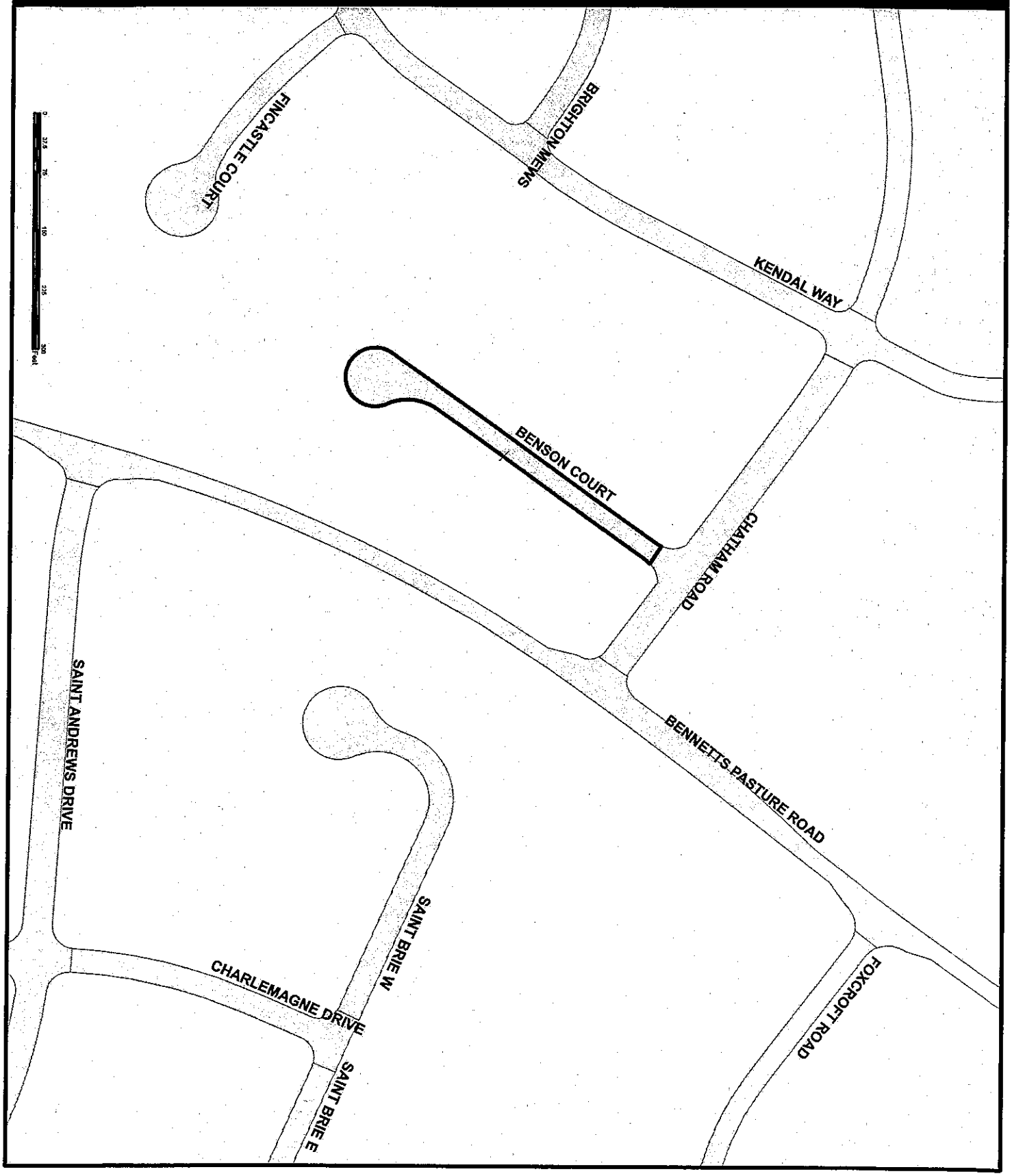
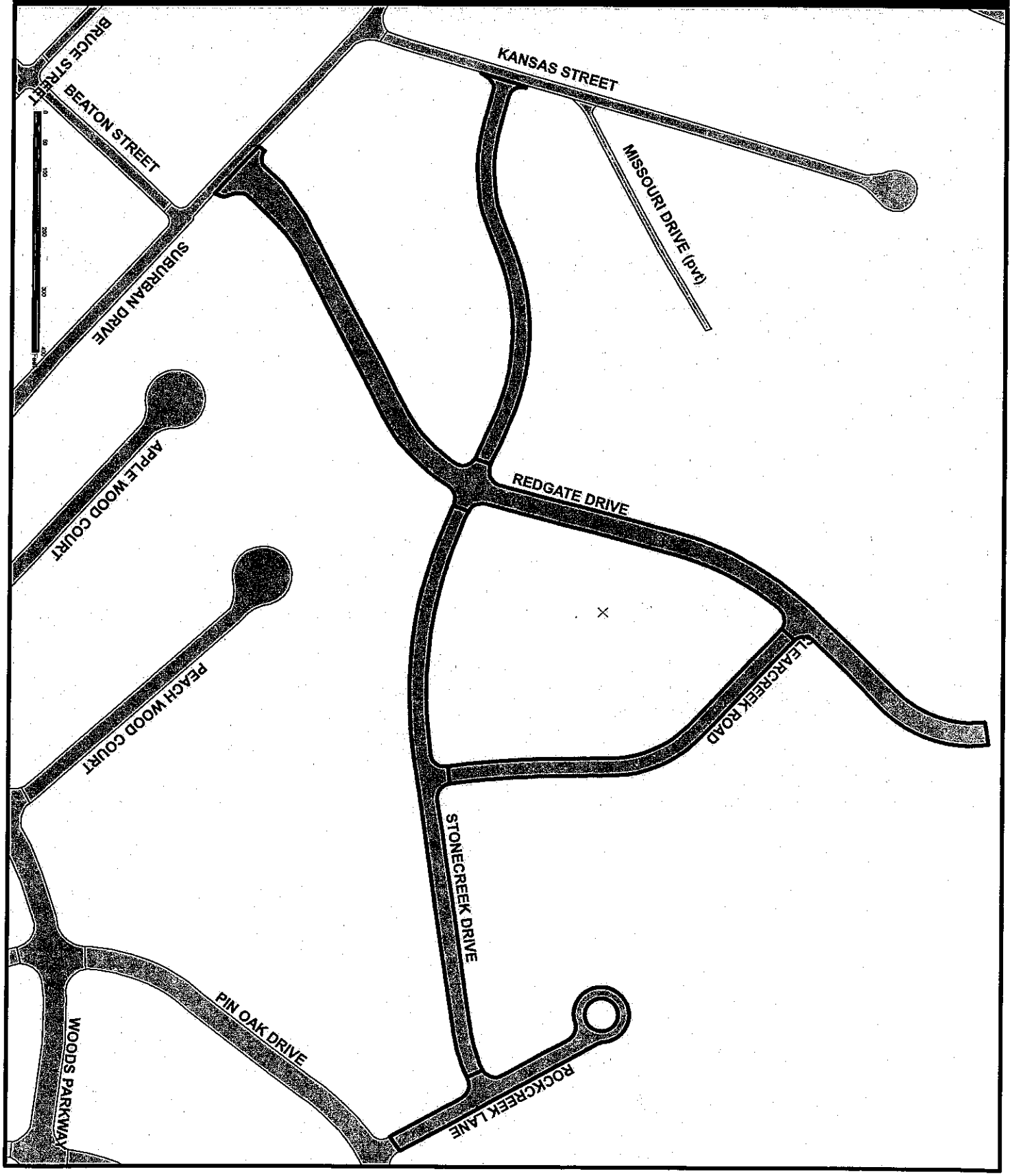
2015-2016 U-1 Map
Harbour Towne Parkway



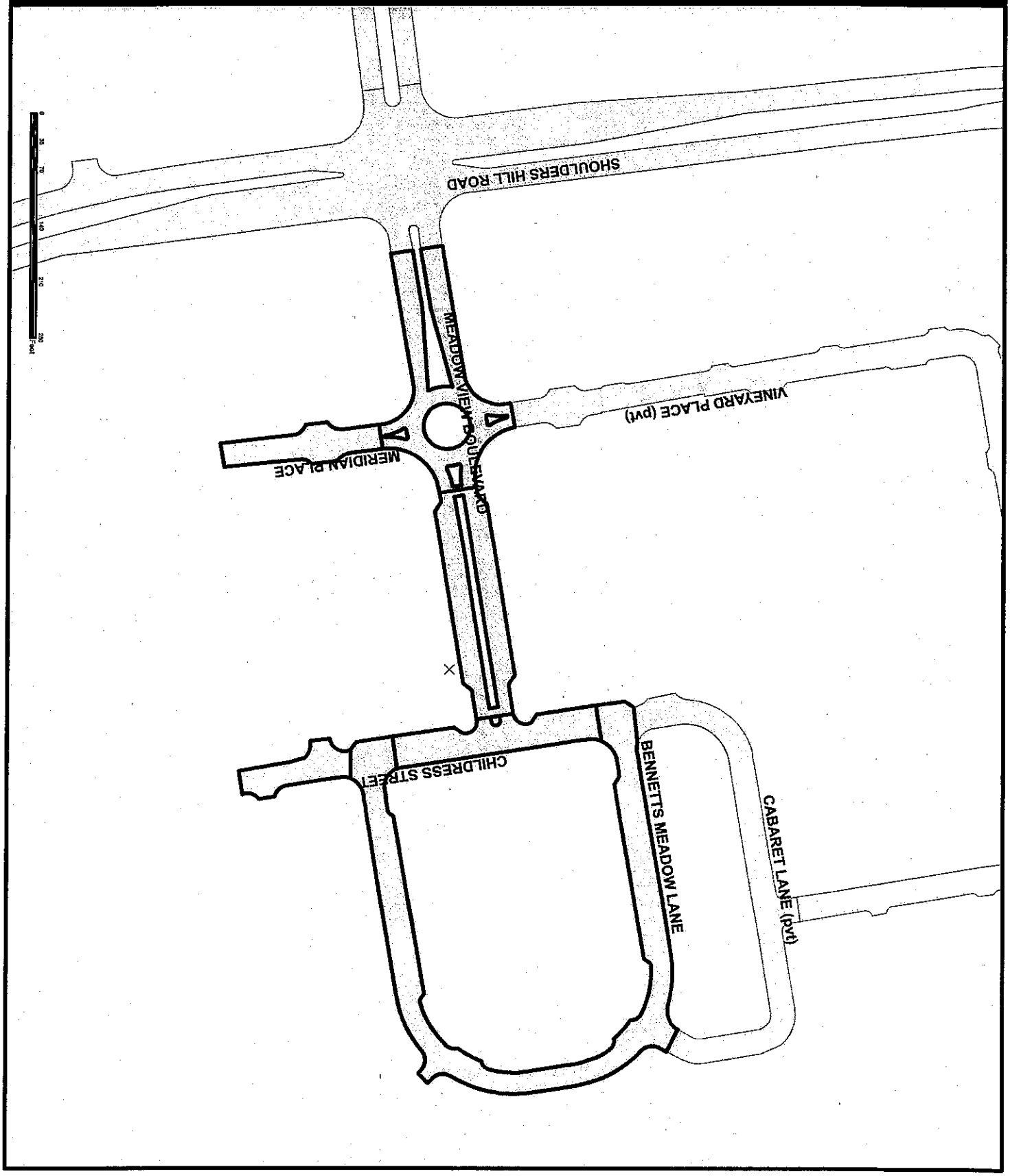
2015-2016 U-1 Map
Benson Court



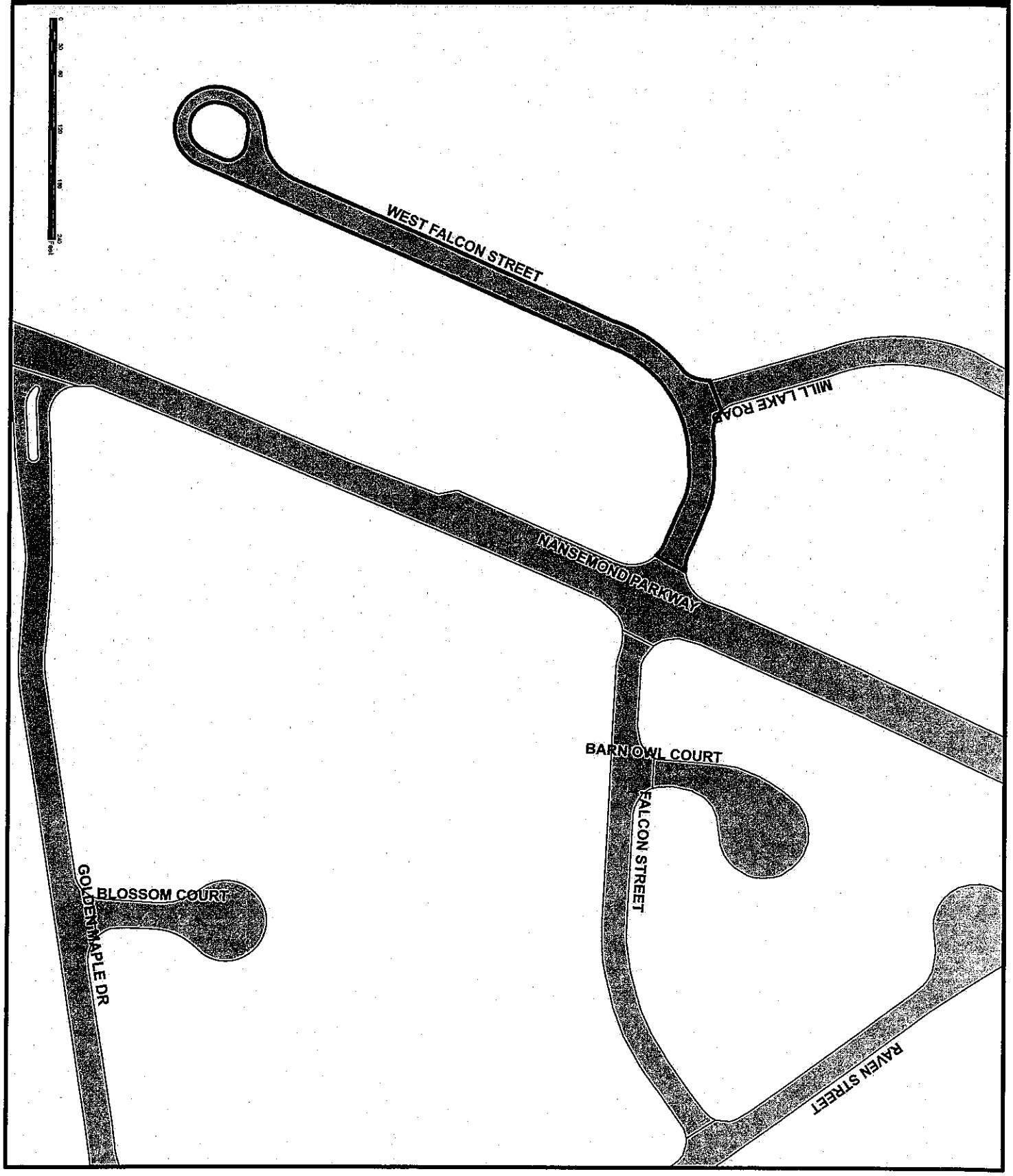
2015-2016 U-1 Map
Graystone Reserves



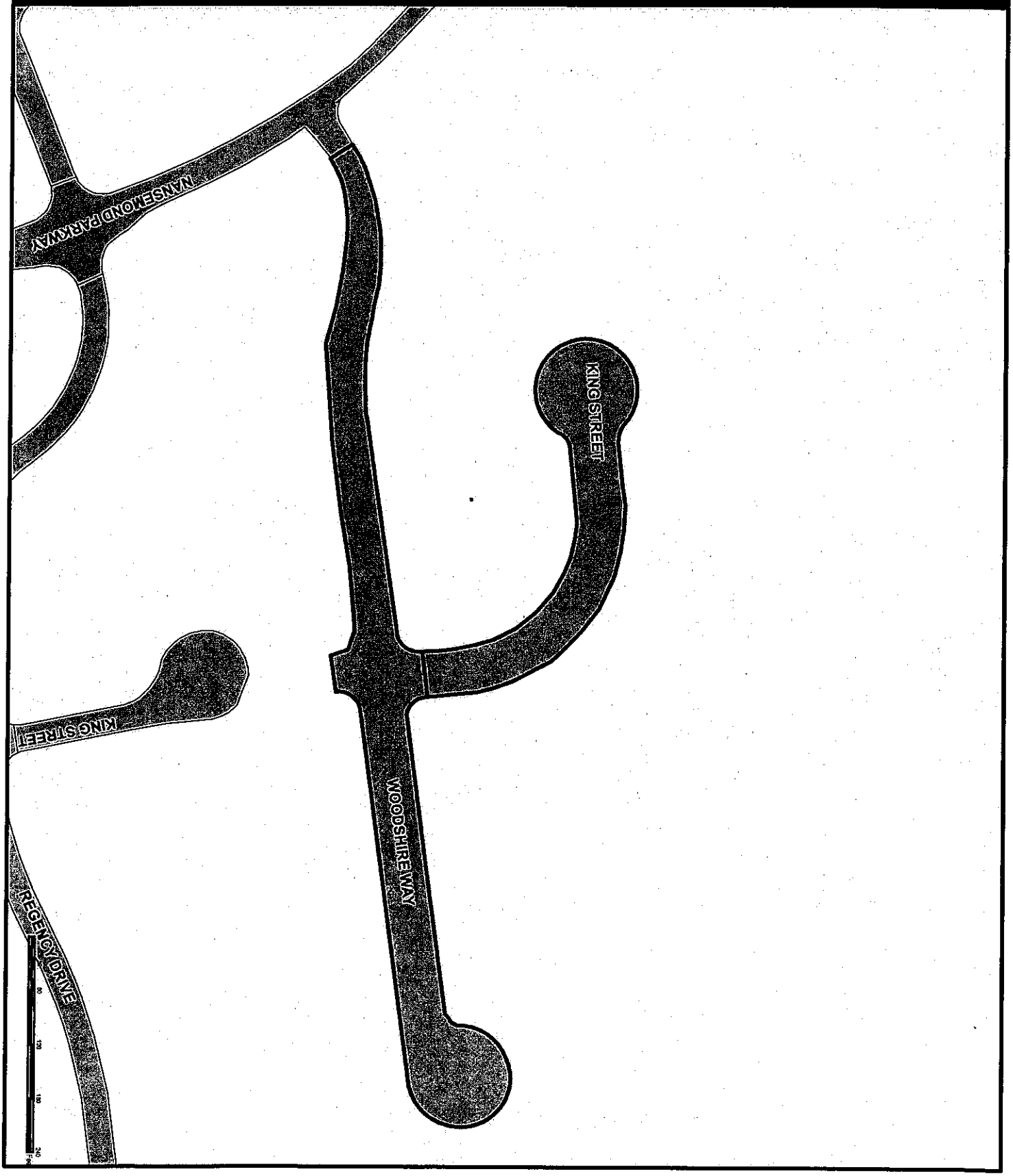
2015-2016 U-1 Map
Bennetts Creek Square



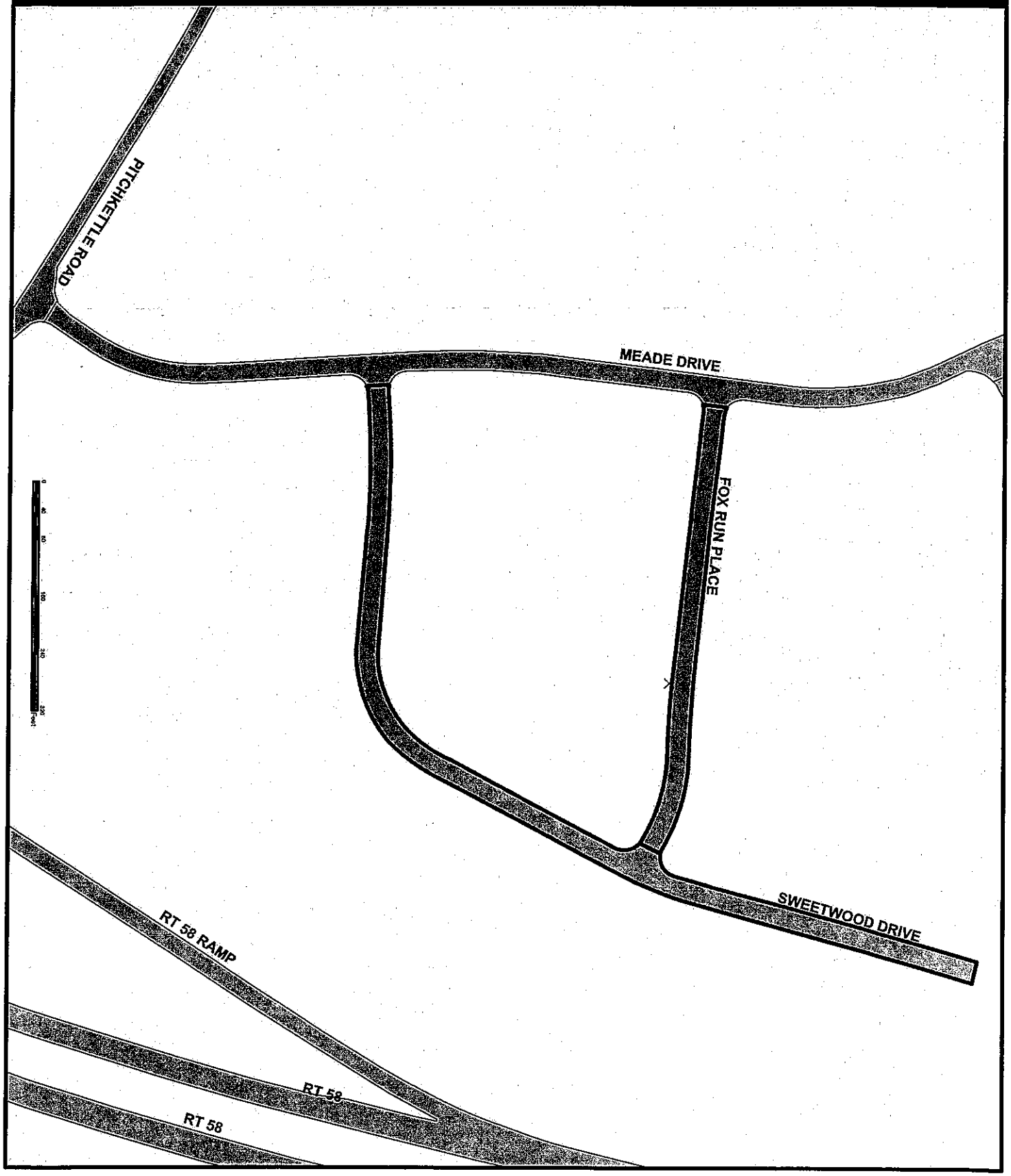
2015-2016 U-1 Map
West Falcon Street



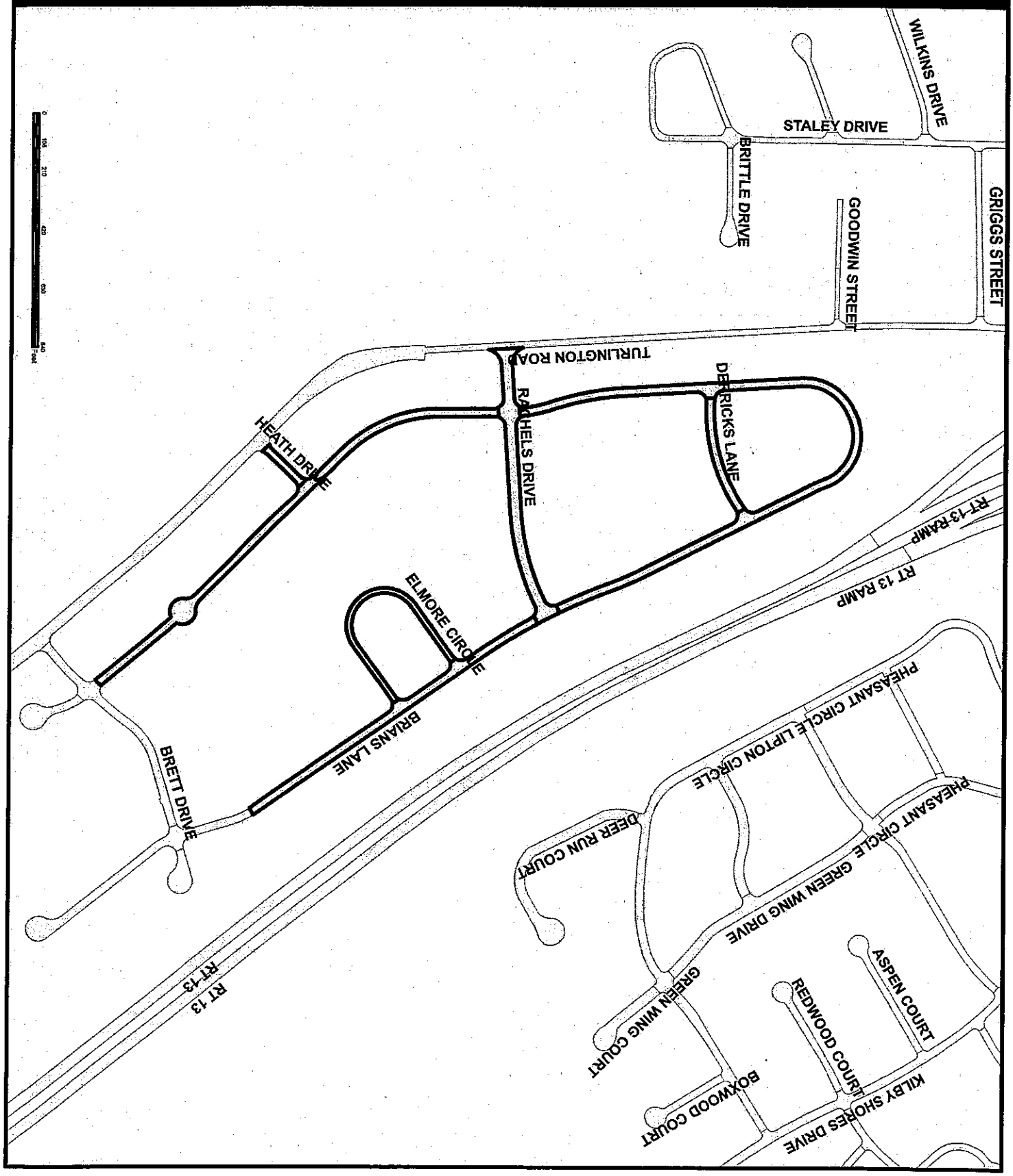
2015-2016 U-1 Map
Woodshire Landing



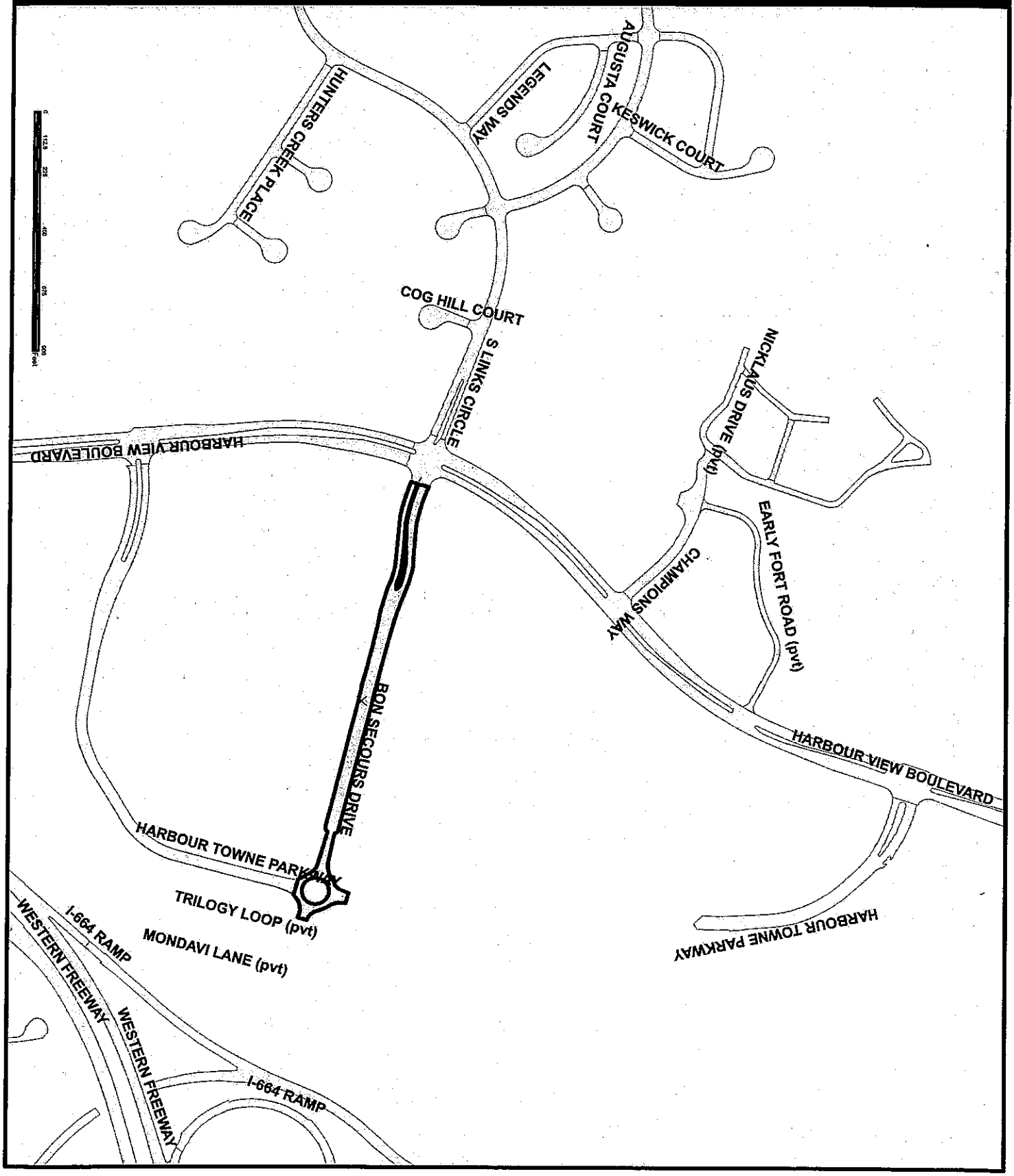
2015-2016 U-1 Map
Lake Meade Point, Section 2



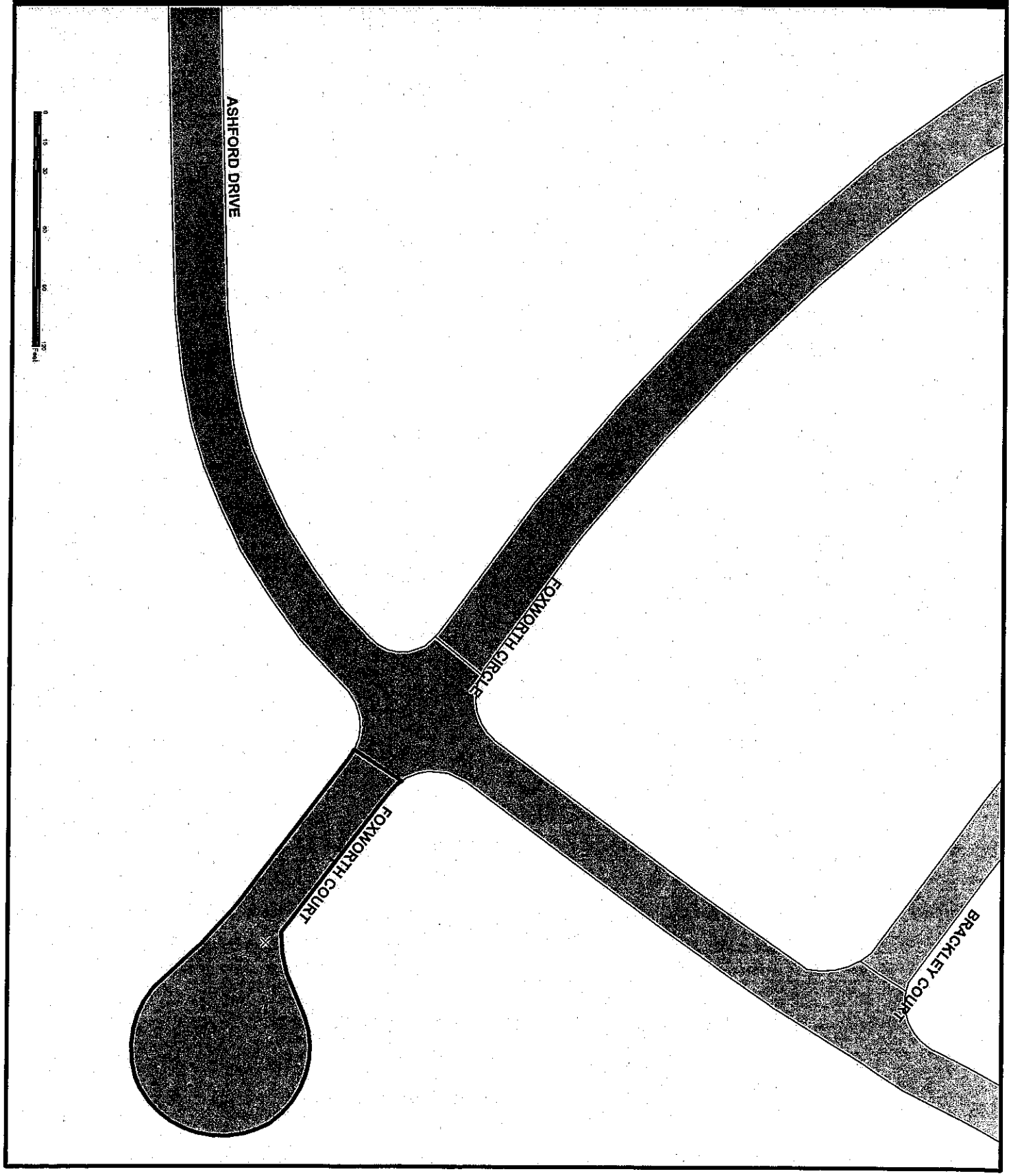
2015-2016 U-1 Map
Brewers Meadow



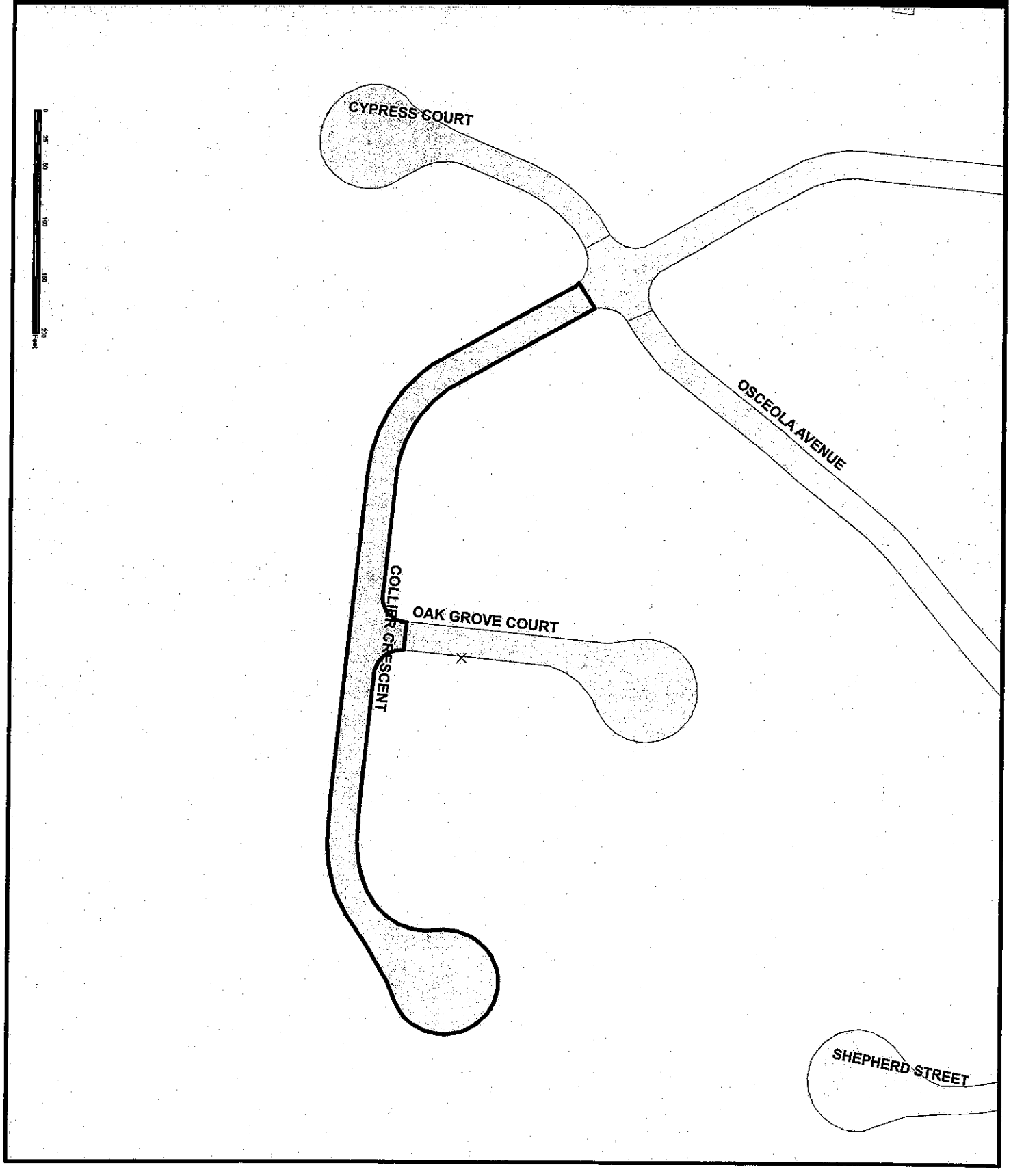
2015-2016 U-1 Map
Bon Secours Drive



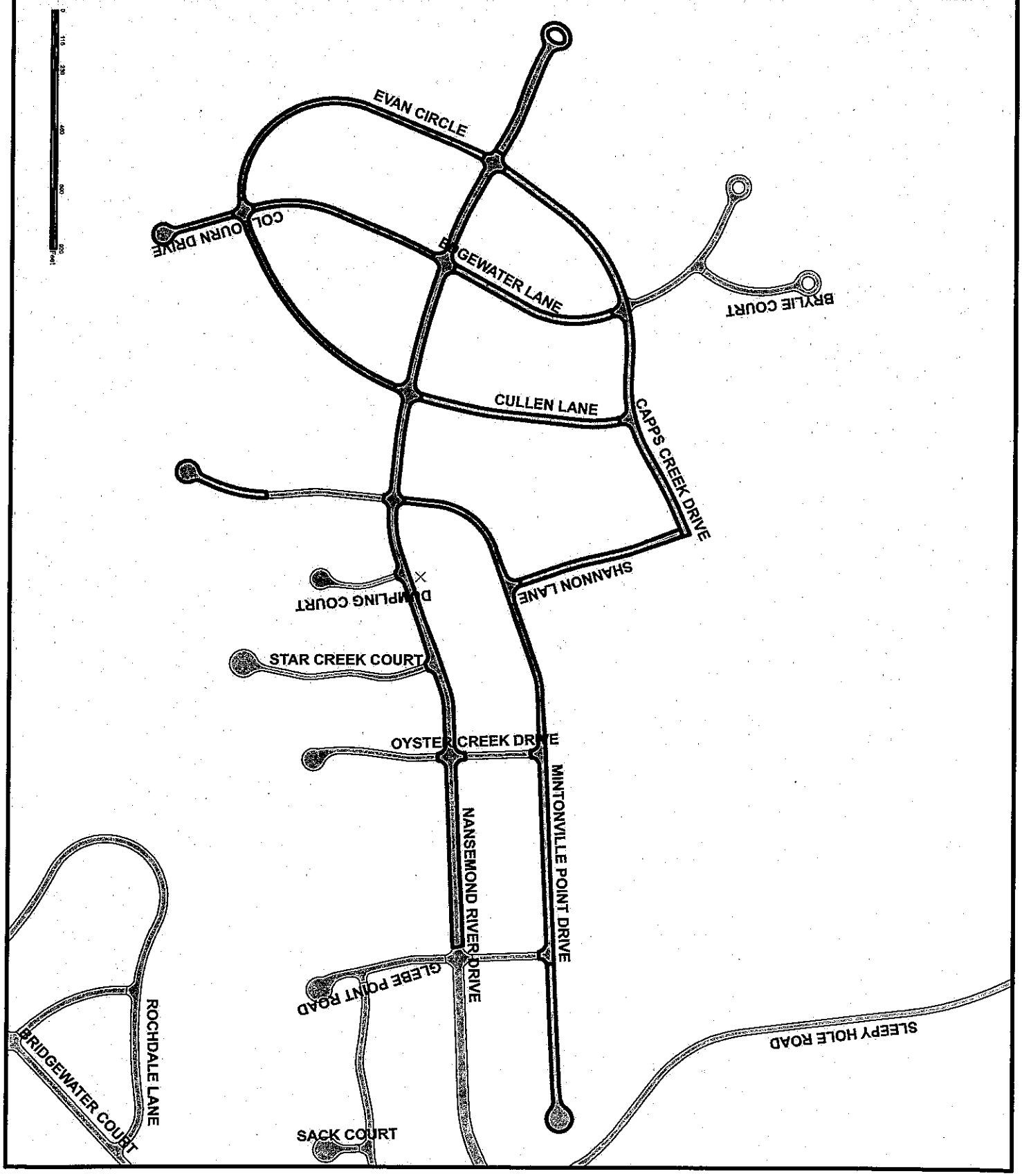
2015-2016 U-1 Map
Foxworth Court



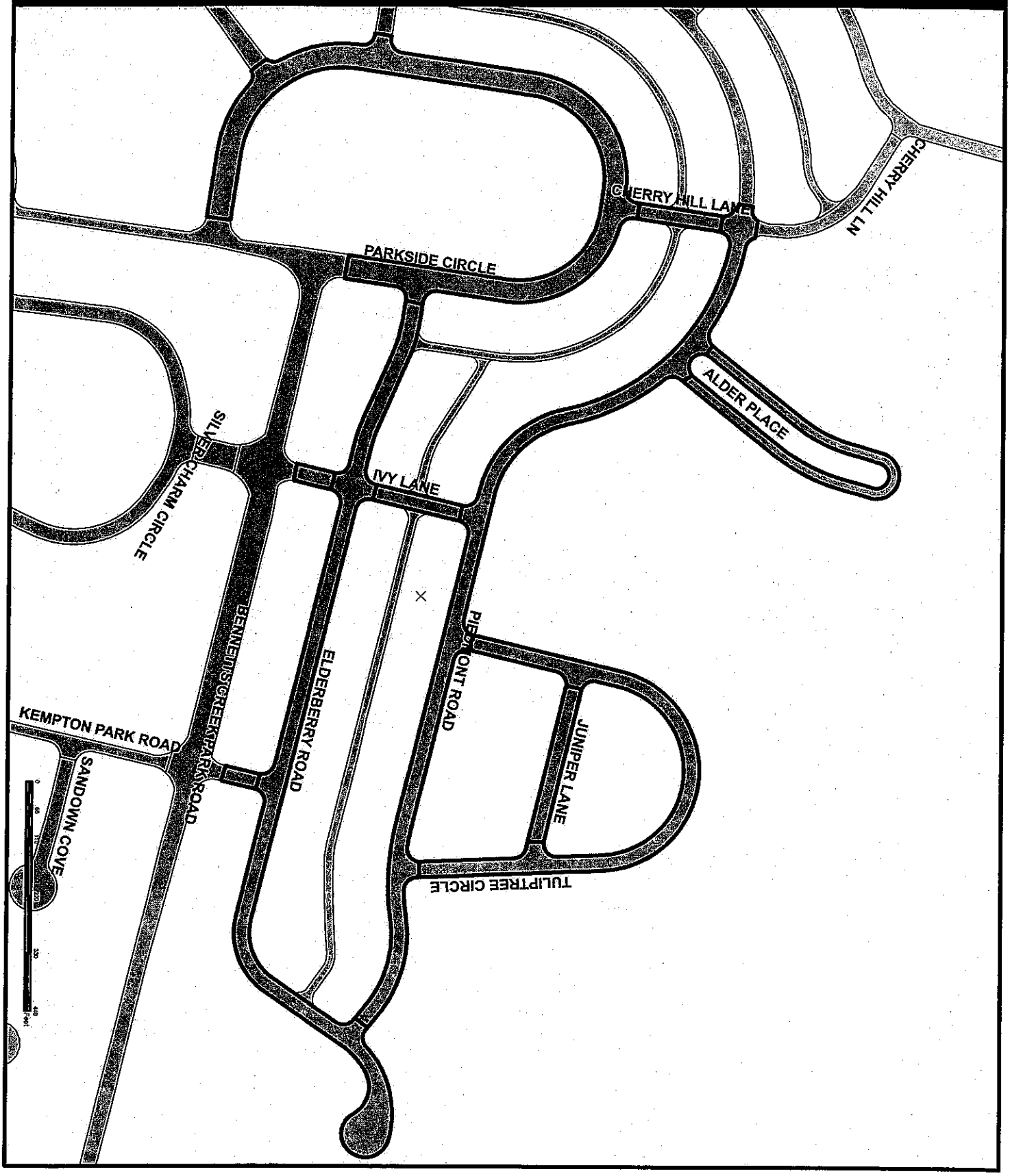
2015-2016 U-1 Map
Collier Crescent



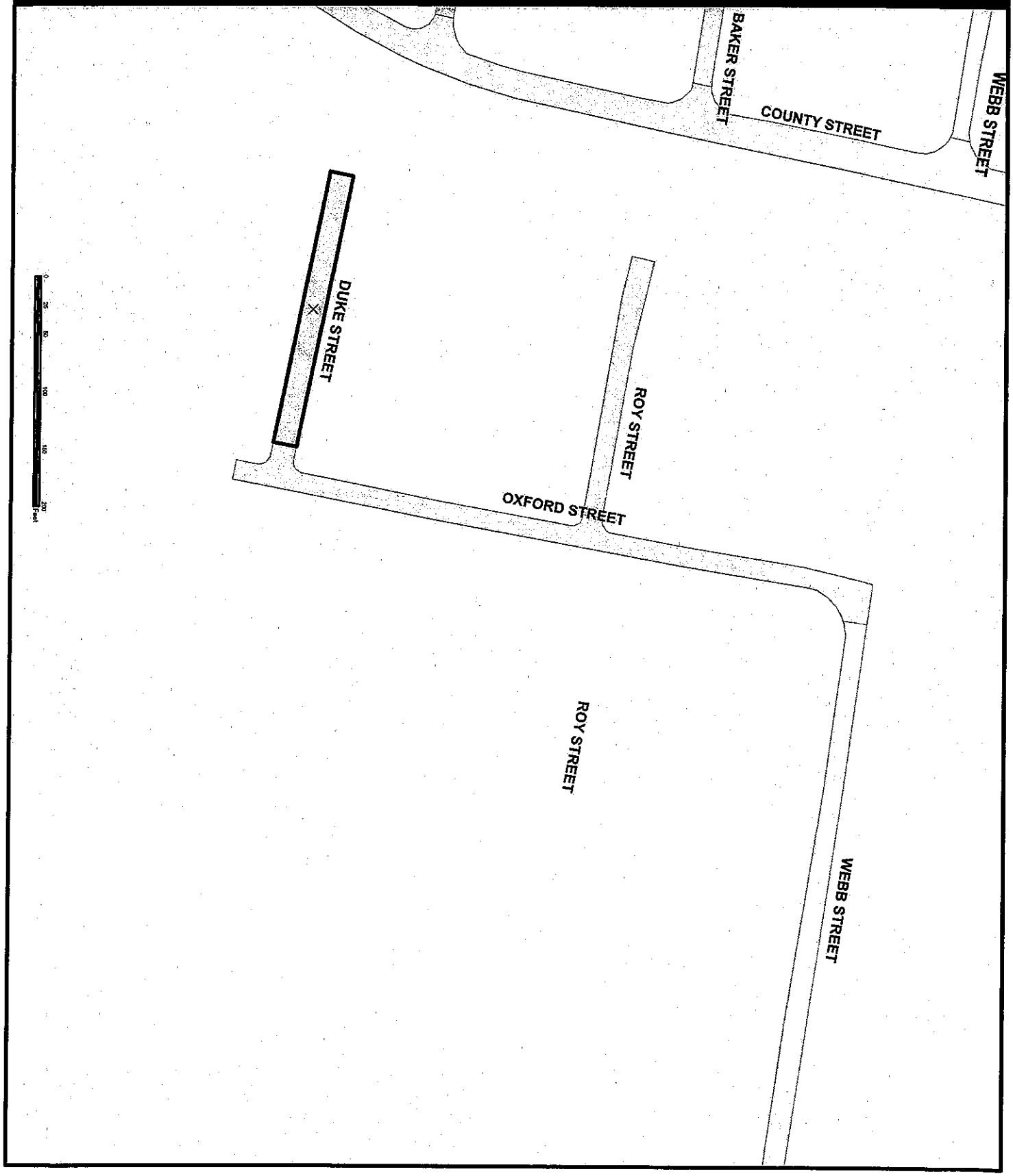
2015-2016 U-1 Map
Nansemond River Estates



2015-2016 U-1 Map
Parkside

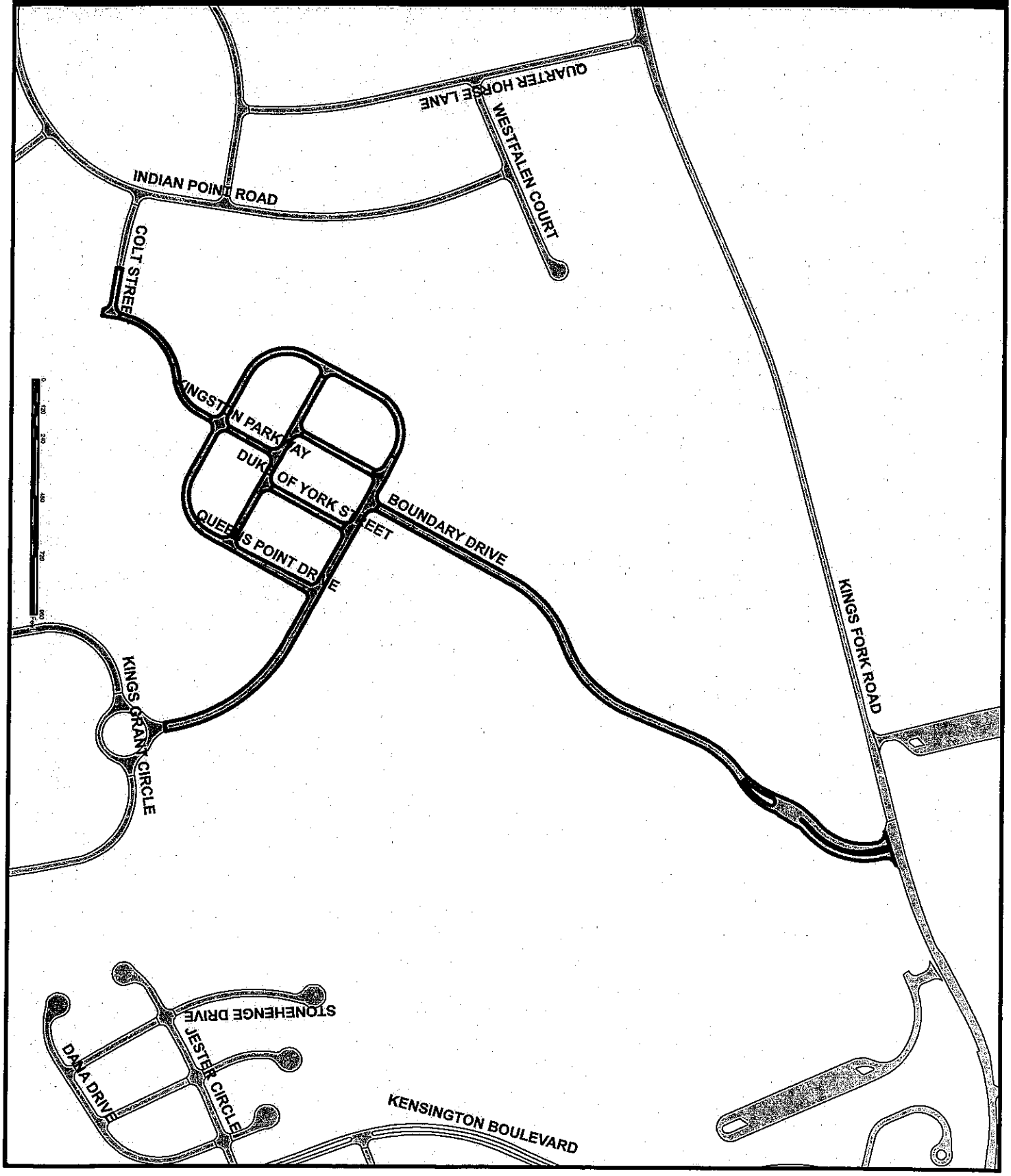


2015-2016 U-1 Map
Duke Street

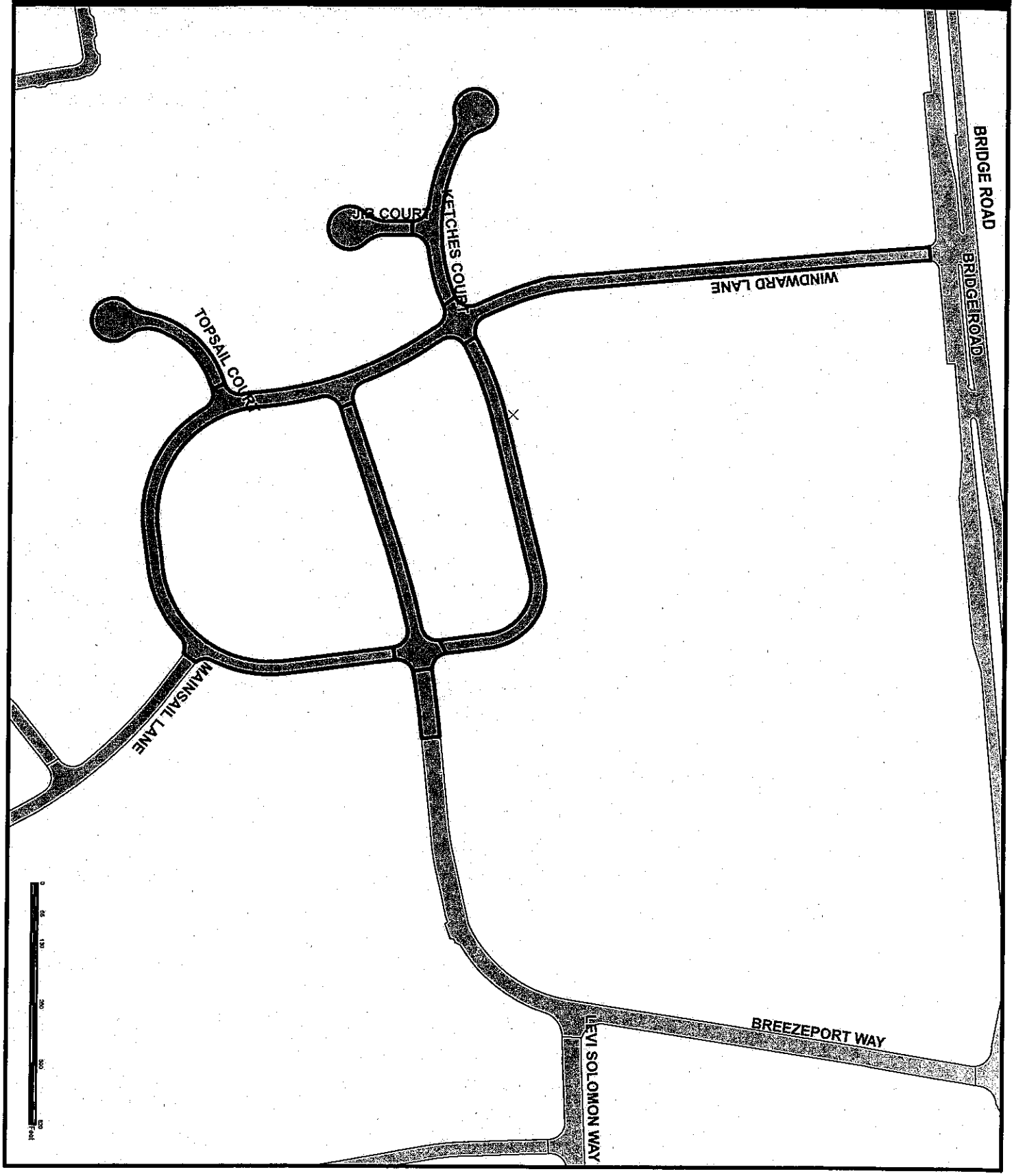


2015-2016 U-1 Map
Roy Street

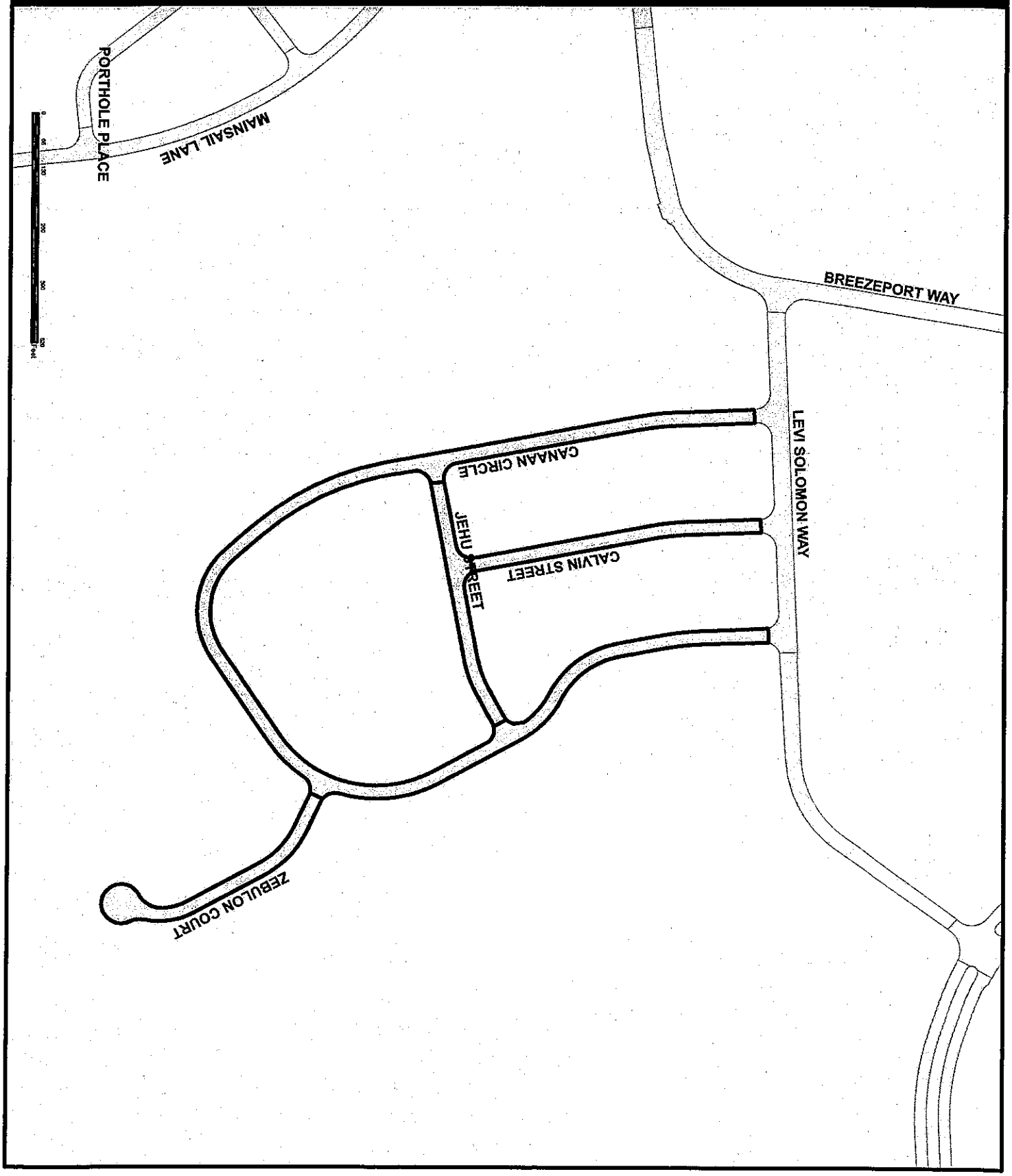
2015-2016 U-1 Map
Kings Fork Farm, Phase 1



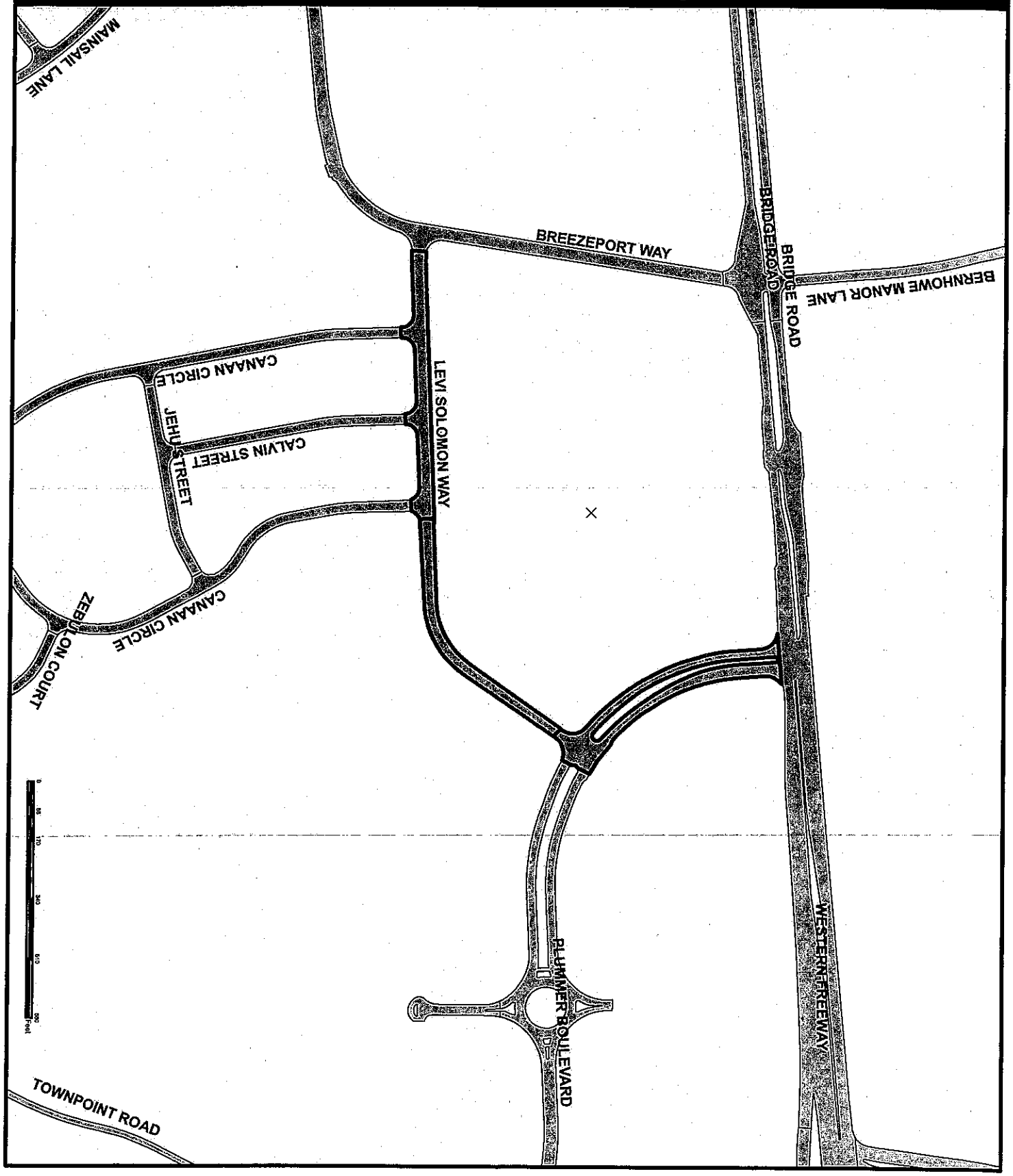
2015-2016 U-1 Map
Harbour Breeze Estates
Phase One



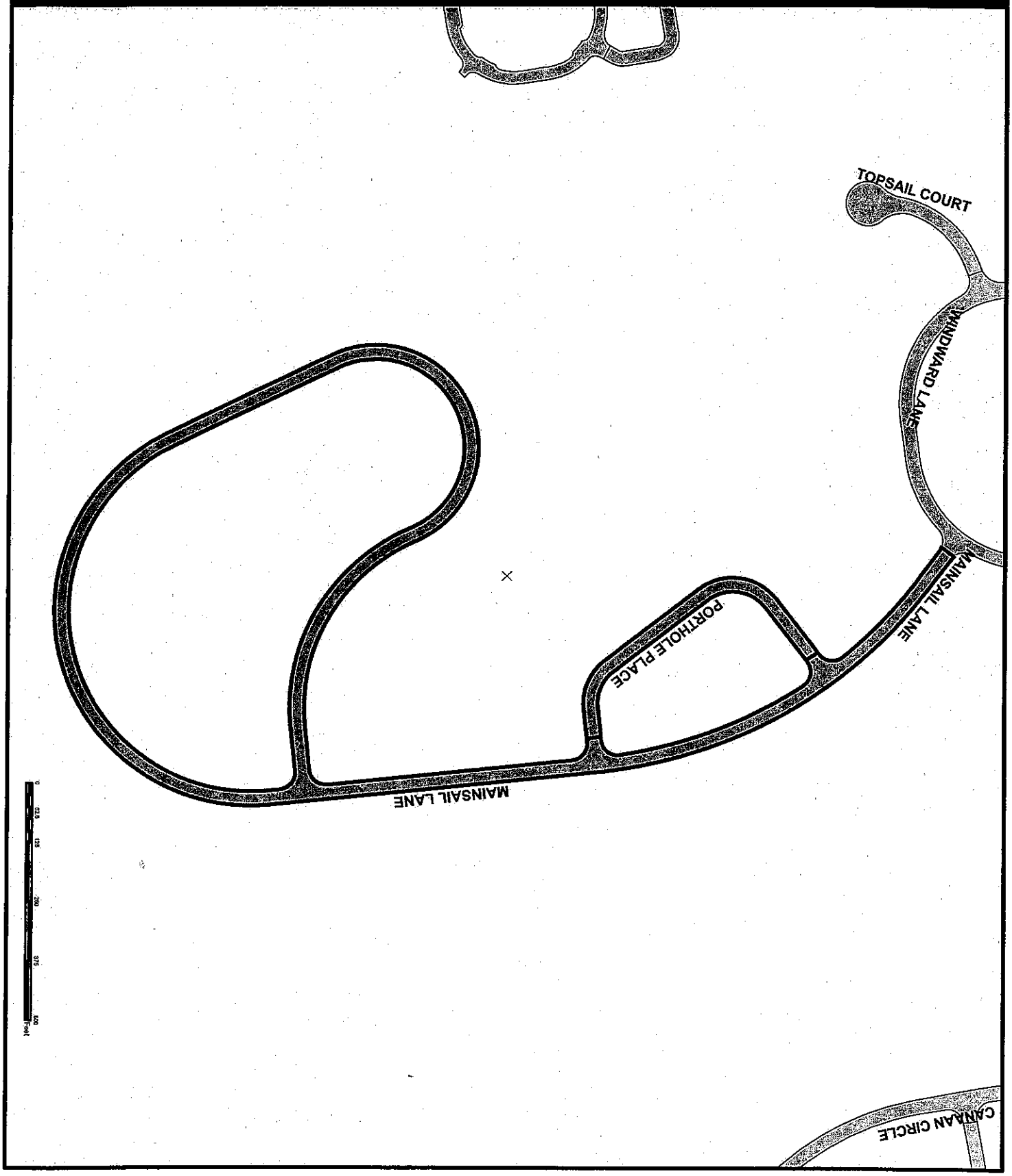
2015-2016 U-1 Map
Belleharbour
Tract 1



2015-2016 U-1 Map
Belleharbour Phase 1
Plummer Boulevard Extension
and Levi Soloman Way



2015-2016 U-1 Map
Harbour Breeze Estates
Phase Two



RESOLUTION NO._____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION AND THE CITY OF SUFFOLK FOR THE STATE URBAN CONSTRUCTION INITIATIVE PROGRAM

WHEREAS, on November 19, 2014 the City of Suffolk City Council approved a resolution formally expressing the City's intent to become a participant in the Commonwealth of Virginia Department of Transportation's (VDOT) Urban Construction Initiative program; and,

WHEREAS, it is desirable that the City enter into a Project Administration Agreement with VDOT whereby the City, as a participant in the Urban Construction Initiative program, will administer urban allocation improvement projects adopted with the Commonwealth Transportation Board Six-Year Improvement Program; and,

WHEREAS, the City agrees to meet the specific requirements of the Federal Highway Administration on projects funded by Federal transportation funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Suffolk, Virginia, that the City Manager is authorized to enter into the Urban Construction Initiative Project Administration Agreement, with such completions, omissions, insertions and changes as approved as to form by the City Attorney.

This resolution shall take effect immediately upon its adoption, and shall not be published.

READ AND ADOPTED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Public Hearing** – A resolution to adopt the Capital Improvements Plan for Fiscal Years 2015-2016 through 2024-2025 as amended

A public hearing will be held on March 4, 2015, to receive public comment on the proposed Capital Improvements Plan for Fiscal Years 2015-2016 through 2024-2025. Attached is a copy of the advertisement for the public hearing published in the *Suffolk News-Herald*. The proposed Capital Improvements Plan was presented to City Council at the February 4, 2015, Work Session.

Upon hearing public comment at the scheduled public hearing, Council may adopt the proposed Capital Improvements Plan per the attached resolution or direct staff to make edits to the document prior to final adoption.

RECOMMENDATION:

Receive public comment and adopt the Capital Improvements Plan

ATTACHMENTS:

Resolution
Public Hearing Advertisement

RESOLUTION NUMBER_____

A RESOLUTION TO ADOPT THE CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEARS 2015-2016 THROUGH 2024-2025 AS AMENDED

WHEREAS, the City of Suffolk has prepared a Capital Improvements Plan for Fiscal Years 2015-2016 through 2024-2025 to include a five-year horizon; and,

WHEREAS, it is the policy of the City to develop a plan for needed capital improvements and update it annually; and,

WHEREAS, such a plan has been developed for the City totaling $659,356,696 for the ten year period as follows:

PLANNED EXPENDITURES FY 16 - 25	5 Year Summary						10 Year Summary	
	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	5 Year Subtotal	6-10 Year Subtotal	10 Year Total
PUBLIC UTILITIES FUND:	7,332,500	19,662,500	12,700,000	19,250,000	19,368,000	78,313,000	106,106,000	184,419,000
RT. 17 TAXING DISTRICT FUND	1,900,000					1,900,000		1,900,000
STORMWATER FUND:	3,575,000	325,000				3,900,000		3,900,000
REFUSE FUND:	4,500,000	6,300,000				11,000,000		11,000,000
GENERAL FUND:	31,568,914	41,788,994	31,828,544	38,672,848	28,681,151	172,540,450	285,597,246	458,137,696
TOTAL ALL FUNDS:	48,876,414	68,276,494	44,528,544	57,922,848	48,049,151	267,653,450	391,703,246	659,356,696

WHEREAS, the Capital Improvements Plan provides the basis for subsequent consideration of capital budgets.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Suffolk, Virginia, that it adopts the Capital Improvements Plan for Fiscal Years 2015-2016 through 2024-2025 as attached.

BE IT FURTHER RESOLVED that the City Manager be, and is hereby authorized and directed to do all things necessary to utilize the aforementioned plan for planning purposes.

Read and Adopted: _____

Teste: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

CITY OF SUFFOLK
PUBLIC HEARING ON PROPOSED
CAPITAL IMPROVEMENTS PLAN

Suffolk City Council will hold a public hearing on February 18, 2015, on the City of Suffolk's Proposed Capital Improvements Plan for fiscal years 2015-2016 through 2024-2025.

Copies of the Proposed Capital Improvements Plan are available for public review on the City's website at http://www.suffolkva.us/pages/2015-2016-budget-information/ and at the following locations:

City Manager's Office
City Clerk's Office
Budget Office
Citywide Public Libraries

The Capital Improvements Plan does not represent a budget of the City, but rather a proposed future spending plan that is created for the purposes of City Council for consideration in the development of the Fiscal Year 2015/16 Annual Operating and Capital Budget and that of future years.

Any person desiring to be heard in favor of, in opposition to, or to express their views with respect to the Proposed Capital Improvements Plan may appear before and be heard by said City Council for the City of Suffolk on Wednesday, February 18, 2015, beginning at 7:00 p.m. in the Council Chambers, City Hall, 442 West Washington St. in Suffolk, Virginia.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedure to participate in a City program, service, or activities, should contact the City Manager at 757-514-4012.

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Public Hearing** – An ordinance to rezone and amend the official zoning map of the City of Suffolk to allow the amendment of approved proffered conditions associated with age restrictions and right-of-way dedication for the development of the Epps Senior Residences, for property located at 401 Kings Fork Road, Zoning Map 25, Parcel 18A, RZ08-14 (Conditional)

Attached for your consideration is information pertaining to Rezoning Request RZ08-14 (Conditional) submitted by Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, on behalf of Harmon Graham Properties, LLC, property owner, to rezone and amend the official zoning map of the City of Suffolk in order to amend the approved proffered conditions, for property located at 401 Kings Fork Road, Zoning Map 25, Parcel 18A. The purpose of this request is to modify the approved age restriction from sixty-two (62) years of age to fifty-five (55) years of age for a proposed senior living facility, and modify the amount of right-of-way dedicated to the City of Suffolk. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned RU, Residential Urban (Conditional) zoning district. The 2026 Comprehensive Plan designates these areas as a part of the Central Suburban/Urban Growth Area, Suburban development district.

This request was approved for fast tracking from the Planning Commission's meeting of March 3, 2015 to the March 4, 2015 City Council meeting. In that regard, the Director of Planning will advise City Council of the Planning Commission's recommendation from their consideration on March 3, 2015.

ATTACHMENTS

- Staff Report
- Proposed Ordinance
- Exhibit A - Planning Commission Recommendation
- Exhibit B – Proffer Statement
- Exhibit C – Zoning/Land Use Map

STAFF REPORT

DESCRIPTION

REZONING REQUEST: Rezoning Request RZ08-14 (Conditional), Epps Senior Residences, submitted by submitted by Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, on behalf of Harmon Graham Properties, LLC, property owner, to modify the approved age restriction from sixty-two (62) years of age to fifty-five (55) years of age for a proposed senior living facility, and modify the amount of right-of-way dedicated to the City of Suffolk, zoned RU, Residential Urban (Conditional) zoning district.

APPLICANT: Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, on behalf of Harmon Graham Properties, LLC, property owner.

LOCATION: The properties affected are located at 401 Kings Fork Road, Zoning Map 25, Parcel 18A.

PRESENT ZONING: The property is currently zoned RU, Residential Urban (Conditional) zoning district.

EXISTING LAND USE: A single-family dwelling is located on the property however, the majority of the 11.4 acre parcel is undeveloped.

PROPOSED LAND USE: The application is requesting to modify the proffer statement approved as part of the 2005 rezoning request in order to construct a retirement village for individuals 55 years of age and older. The establishment of a retirement village use on the property requires the issuance of a Condition Use Permit (which is scheduled for public hearing pending the outcome of this Rezoning Request).

SURROUNDING LAND USES:
North: RR (Rural Residential) – residential / Kings Fork Middle School
East: RR (Rural Residential)/CP (Commerce Park) – Kings Fork Farm Sub./ Kings Fork H.S.
South: RR (Rural Residential) – Kings Fork Farm Sub.
West: RR (Rural Residential) – Suffolk Youth Athletic Association - athletic field complex

COMPREHENSIVE PLAN: The City's 2026 Comprehensive Plan identifies this property as being located within the Central Suburban/ Urban Growth Area (Suburban District).

CASE HISTORY:
Rezoning Request, RZ9-04, conditionally rezoned the parcel from RR, Rural Residential, to RU, Residential Urban to construct a retirement village for individuals 62 years of age and older and was approved in August 2005.

Conditional Use Permit Request, C10-05, to construct a retirement village was approved in August 2005. The proposal included two (2) three-story buildings containing a total of 120 units.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located within the City's Chesapeake Bay Preservation Area Overlay District and is designated as a Resource Management Area (RMA).

PUBLIC NOTICE: The request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance.

STAFF ANALYSIS

ISSUE

The application is requesting to amend the proffer statement approved as part of the 2005 rezoning request adjusting the age restriction from sixty-two (62) years of age to fifty-five (55) years of age and modifying the amount of right-of-way dedicated to the City of Suffolk for a proposed senior living facility. Fifty (50) single-story apartment units would be constructed on the 11 acre parcel. As part of the revised proffer statement, these apartments will be age-restricted in that only individuals age 55 or over are eligible to reside there. The RU district allows a maximum density of 10.9 units per acre. This proposal would result in a density of 4.6 units per acre. The facility would provide ten (10) one-bedroom units and forty (40) two-bedroom units.

CONSIDERATIONS AND CONCLUSIONS

In accordance with Appendix B, Section B-4 of the Unified Development Ordinance, rezoning applications must include a statement of the reasons for seeking an amendment to the zoning maps of the City of Suffolk. Supplemental information provided by the applicant indicates that the reason for the amendment of the previously authorized rezoning proffers is to allow the community to appeal to greater number of income and age eligible households.

1. Comprehensive Plan

The subject properties are located within the Central Suburban/Urban Growth Area (Suburban District).

Policy 4-1 of the Comprehensive Plan states the following: *Build upon the work of the Affordable Housing Task Force and implement the recommendations of the Task Force's Report.* This Policy is supported by Action 4-1N which states, *Encourage opportunities for retirement housing. Continue to explore techniques to encourage retirement housing. Retirees place no demands on the school system and generate little peak-hour traffic.* This rezoning should support Action 4-1N with the addition of 50 units dedicated to an assisted living facility for persons 55 years or older.

2. Unified Development Ordinance

The Unified Development Ordinance defines a retirement village and provides supplemental use regulations in regard to location, active recreation opportunities, and pedestrian amenities.

3. Adequate Public Facilities

The purpose and intent of the adequate public facilities ordinance is to ensure that public facilities are available to support new development and associated impacts and that each

public facility meets or exceeds the Level of Service standards established by the 2026 Comprehensive Plan and the Unified Development Ordinance. This rezoning seeks to modify the minimum age requirement to reside within the senior living facility. The proposal approved in 2005 authorized 120 units. This proposal seeks authorization for a maximum of 50 units. The public facilities impacted by the proposed development are discussed individually below:

Public Water and Sanitary Sewer
City water and sewer is available to this site from an existing 24" water main and 10" gravity sewer main along Kings Fork Road. City Pump Station #28 is anticipated to receive the sanitary sewer flows from this project. During the design phase a Sewer Pump Station Model will need to be performed to determine if it has capacity to handle the sanitary sewer flows from this project. Required upgrades to City Pump Station #28 as a result of the sewer model will be at the expense of the developer.

Stormwater Management
The subject property is located within a Resource Management Area (RMA) and is subject to the applicable provisions of the stormwater management regulations. The provided plan does not depict any stormwater management facilities. The major water quality impact assessment proposes that various infiltration BMPs (Best Management Practices) will be utilized based on the seasonal high groundwater elevations. Preliminary geotechnical investigation will need to be conducted to determine the groundwater elevation and the adequacy of infiltration facilities prior to preparing final stormwater management plans.

Streets
A traffic impact update letter was submitted with this request. The letter indicates the proposal will generate the need for west bound and east bound turn lanes on Kings Fork Road to access the site. Traffic Engineering has accepted the preliminary design of the turn lane improvements shown on the conceptual site plan. The proffer language amendment regarding the right-of-way dedication is proposed to update the existing language to reflect a 12' dedication which has already occurred along a portion of the property's frontage.

Schools
No students will be generated from this rezoning request; therefore, there will not be any impacts to public schools.

4. Fiscal Impact Study

The applicant submitted a fiscal impact study that showed that construction costs for this project are estimated at 3 million dollars and the project should yield approximately $430,000 in development review, permit fees, and utility connection charges in addition to generating annual real estate taxes and utility fees. When the 50 unit development is fully occupied it is expected to result in a minimum of 70 additional residents.

5. Proffered Conditions

The application is requesting to amend the proffer statement approved as part of the 2005 rezoning request adjusting the age restriction from sixty-two (62) years of age to fifty-

five (55) years of age and modifying the amount of right-of-way dedicated to the City of Suffolk for a proposed senior living facility. The establishment of a retirement village use on the property requires the issuance of a Condition Use Permit (which is scheduled for public hearing pending the outcome of this Rezoning Request).

RECOMMENDATION

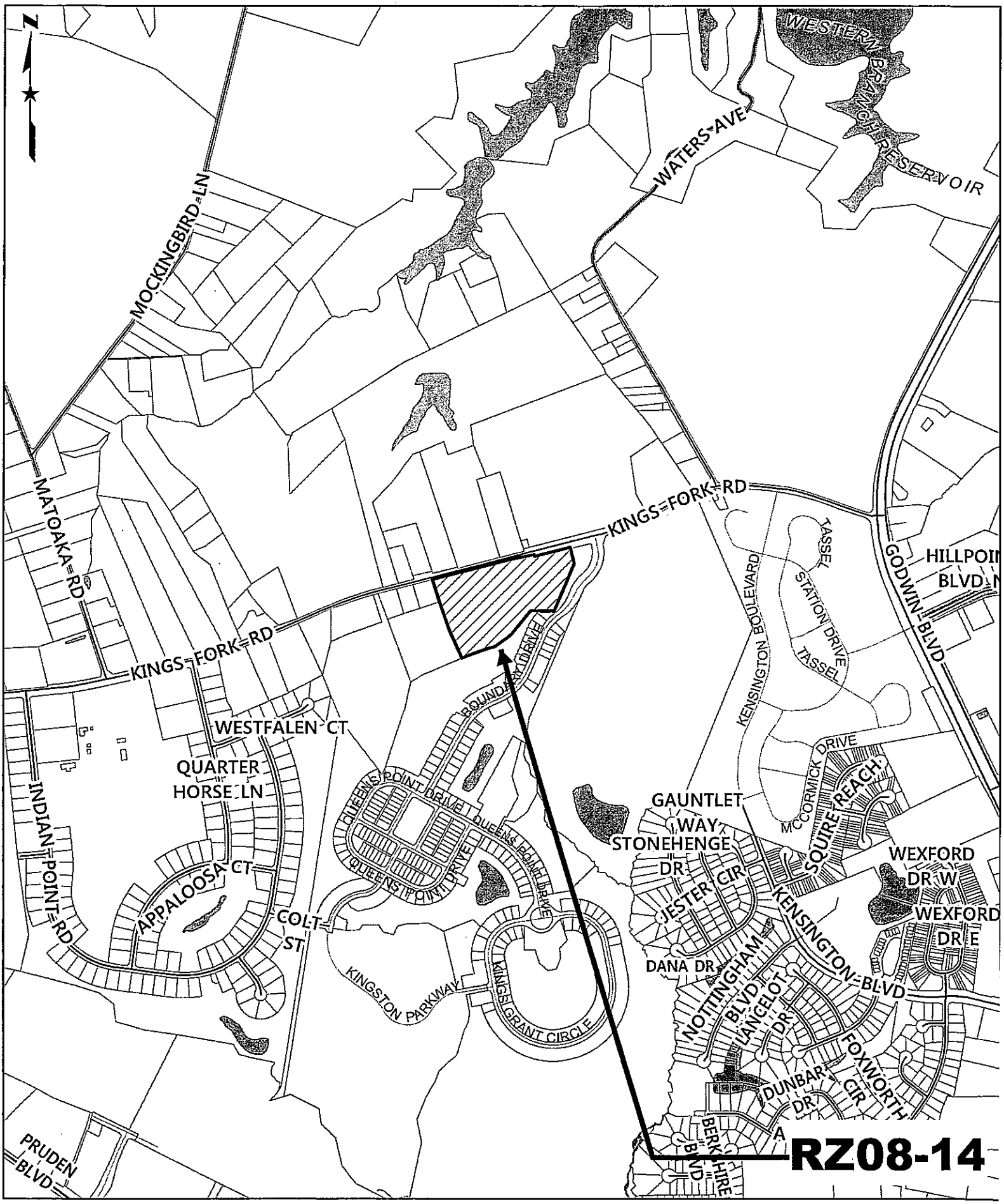
This conditional rezoning request is consistent with the policies of the 2026 Comprehensive Plan which encourages a varied housing stock and includes a specific provision for retirement housing. Due to the proffer limiting residences to persons over the age of 55, the project will not have a negative impact on the existing capacity of public schools in the area. Based on these reasons, staff recommends **approval** of this conditional rezoning application with the submitted proffer amendments.

This request was approved for fast tracking from the Planning Commission's meeting of March 3, 2015 to the March 4, 2015 City Council meeting. In that regard, the Director of Planning will advise City Council of the Planning Commission's recommendation from their consideration on March 3, 2015.

Attachments

- Proposed Ordinance
- Exhibit A - Planning Commission Recommendation
- Exhibit B – Proffer Statement
- Exhibit C – Zoning/Land Use Map

General Location Map



ORDINANCE NO.

AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUFFOLK TO ALLOW THE AMENDMENT OF APPROVED PROFFERED CONDITIONS ASSOCIATED WITH AGE RESTRICTIONS AND RIGHT-OF-WAY DEDICATION FOR THE DEVELOPMENT OF THE EPPS SENIOR RESIDENCES, FOR PROPERTY LOCATED AT 401 KINGS FORK ROAD, ZONING MAP 25, PARCEL 18A, RZ08-14 (CONDITIONAL)

WHEREAS, Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, on behalf of Harmon Graham Properties, LLC, property owner, has requested the rezoning for a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 25, Parcel 18A which land is depicted on Exhibit "C"; and,

WHEREAS, the proposed rezoning and amendment to the official zoning map have been advertised and reviewed by the Planning Commission in compliance with the requirements of state law; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A"; and,

WHEREAS, a public hearing before City Council was duly advertised as required by law and held on the 17th day of February, 2015, at which public hearing the public was presented with the opportunity to comment on the proposed rezoning.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibit "A", "Planning Commission Recommendation ", Exhibit "B", "Proffer Statement" and Exhibit "C", "Zoning/Land Use Map" which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

A. Council finds that the proposed rezoning is reasonable, and warranted due to a mistake or change in circumstances affecting the property; and has considered the following factors and finds that the proposed rezoning does not conflict with:

1. the existing use and character of property within the City;
2. the Comprehensive Plan;
3. the suitability of the property for various uses;
4. the trends of growth or change;
5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;

6. the transportation requirements of the community;

7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;

8. the conservation of natural resources;

9. the preservation of flood plains;

10. the preservation of agricultural and forestal land;

11. the conservation of properties and their values;

12. the encouragement of the most appropriate use of land throughout the City; and

13. the expressed purpose of the City's Unified Development Ordinance (UDO) as set out in Section 31-102 of the UDO, as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended.

B. City Council makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;

2. the proffered conditions have a reasonable relationship to the rezoning; and

3. the proffered conditions are in conformity with the 2026 Comprehensive Plan as adopted by City Council on April 5, 2006.

Section 3. Rezoning.

A. The conditions proffered in the attached Exhibit "B" be, and they are hereby, accepted.

B. The Property be, and it is hereby, conditionally rezoned and the official zoning map be, and it is hereby, amended as shown on the attached Exhibit "C", which is incorporated herein by reference.

C. The foregoing rezoning and amendment to the official zoning map are expressly made subject to the performance of the conditions hereby proffered and accepted and these conditions shall remain in effect until a subsequent amendment changes the zoning of the property; however, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Section 4. Recordation.

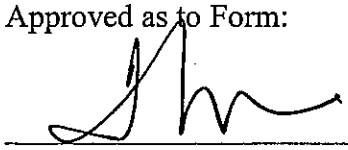
A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of the Circuit Court of the City of Suffolk, Virginia.

This ordinance shall be effective upon passage and shall not be published or codified.

READ AND PASSED:_____

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to Form:



Helivi L. Holland, City Attorney

EXHIBIT A

RESOLUTION NO. 15-3-2

CITY OF SUFFOLK PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO REZONING REQUEST RZ8-14 (CONDITIONAL) TO REQUEST THE AMENDMENT OF APPROVED PROFFERED CONDITIONS FOR THE DEVELOPMENT OF EPPS SENIOR VILLAGE LOCATED AT 401 KINGS FORK ROAD ZONING MAP 25, PARCEL 18A

WHEREAS, Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, on behalf of Harmon Graham Properties, LLC, property owner, has requested the amendment of approved proffered conditions associated with age restrictions and right-of-way dedication for the development of the property for a certain tract of land situated in the City of Suffolk, Virginia, which land is described and depicted on the proposed Ordinance attached hereto and incorporated herein by reference; and

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

A. The Suffolk Planning Commission finds that the proposed rezoning is reasonable, and warranted due to a change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:

1. the existing use and character of property within the City;

2. the Comprehensive Plan;

3. the suitability of the property for various uses;

4. the trends of growth or change;

5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;

6. the transportation requirements of the community;

7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;

8. the conservation of natural resources;

9. the preservation of flood plains;

10. the preservation of agricultural and forestal land;

11. the conservation of properties and their values;

12. the encouragement of the most appropriate use of land throughout the City;

13. the expressed purpose of the City's Unified Development Ordinances as set out in Section 31-102 of the Code of the City of Suffolk (1998), as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended ("Va. Code").

B. The Suffolk Planning Commission makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;

2. the proffered conditions have a reasonable relationship to the rezoning; and

3. the proffered conditions are in conformity with the 2026 Comprehensive Plan as adopted by City Council on April 5, 2006.

Section 2. Recommendation to Council

The Planning Commission recommends to City Council that the request, RZ8-14 (Conditional), be:

___ a. Granted as submitted, and the City Council adopt the proposed Ordinance without modification.

___b. Denied, and that Council not adopt the proposed Ordinance.

___c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND PASSED: _____

TESTE: _____

EXHIBIT B

I hereby voluntarily proffer that the development of the property owned by me proposed for reclassification under this application shall be in strict accordance with the conditions set forth below.

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map 25, Block _____, Parcel Number 18A :

1. The Epps Senior Village property will be developed for senior housing. The age designation will comply with federally designated guidelines for Housing for Older Persons, who are 55 years and older.

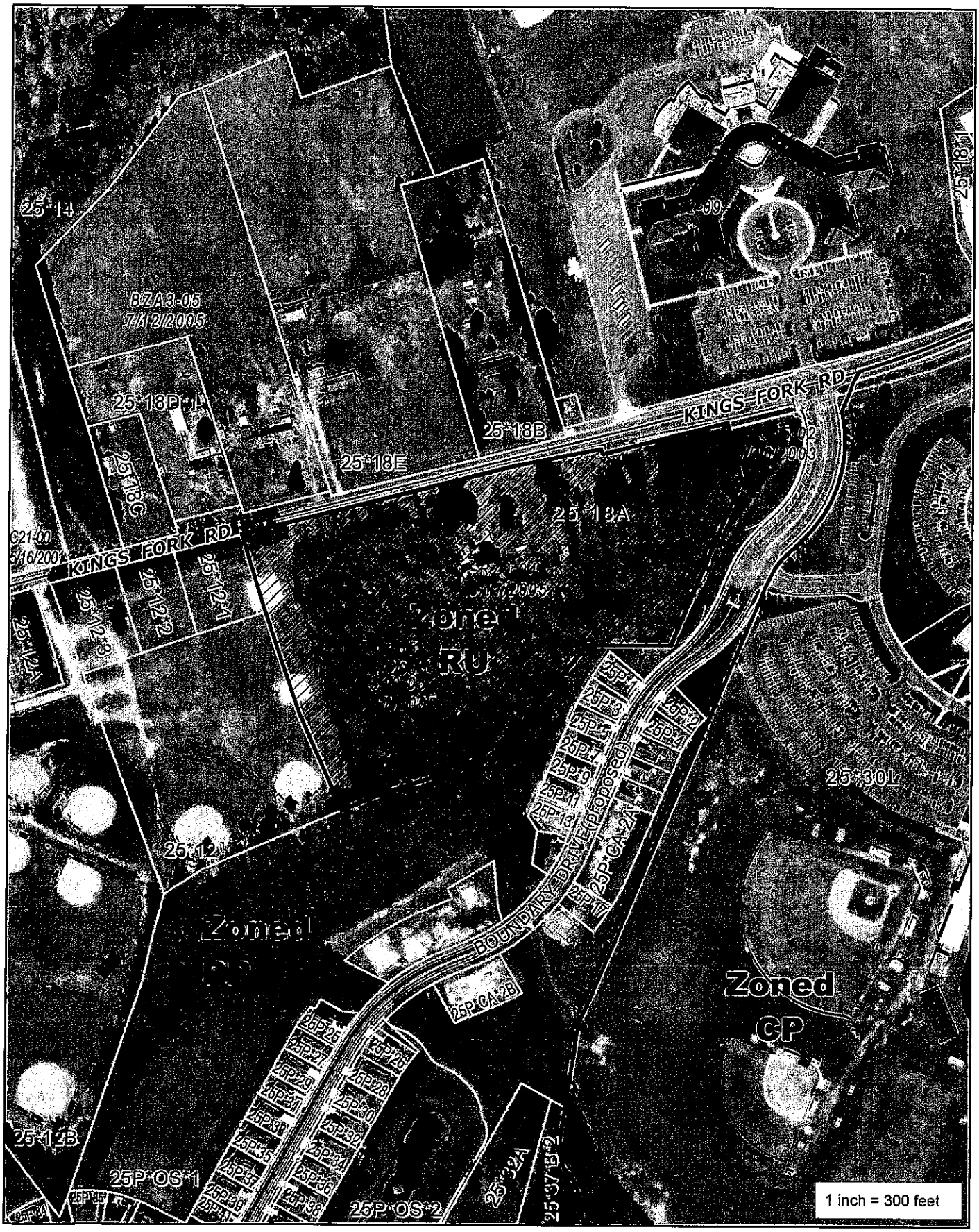
2. A 20-foot right-of-way dedication will be granted to the City of Suffolk along Kings Fork Road except an 8-foot dedication will be granted where the previous 12-foot dedication occurred per P.C. 2, SLD.52E.

Signed:

(Applicant)	Gary R. Hammond, Jr. (Printed Name)	2/5/2015 (Date)
(Property Owner)	John C. Harman (Printed Name)	2-10-15 (Date)
(Property Owner)	(Printed Name)	(Date)

EXHIBIT C

RZ08-14 ZONING / LAND USE MAP



Aerial Imagery Sources: VGIN/VITA VMBP 2013 Orthophotography and/or ESRI http://goto.arcgisonline.com/maps/World_Imagery Date: 12/5/2014

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Public Hearing** – An ordinance to grant a Conditional Use Permit to establish a retirement village on property located at 401 Kings Fork Road, Zoning Map 25, Parcel 18A; C28-14

Attached for your consideration is information pertaining to Conditional Use Permit Request C28-14, submitted by Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, on behalf of Harmon Graham Properties, LLC, property owner, to grant a Conditional Use Permit to establish a retirement village in accordance with Section(s) 31-306 and 31-406 of the Unified Development Ordinance. The affected property is located at 401 Kings Fork Road, Zoning Map 25, Parcel 18A and is further identified as being located in the Chuckatuck Voting Borough, zoned RU, Residential Urban (Conditional) zoning district. The 2026 Comprehensive Plan designates these areas as a part of the Central Suburban/Urban Growth Area, Suburban development district.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Thomas Jordan, the staff planner handling this case, if you have any questions in advance of the meeting.

This request was approved for fast tracking from the Planning Commission's meeting of March 3, 2015 to the March 4, 2015 City Council meeting. In that regard, the Director of Planning will advise City Council of the Planning Commission's recommendation from their consideration on March 3, 2015.

ATTACHMENTS

- Staff Report
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Zoning/Land Use Map
- Exhibit C – Site Plan/Architectural Elevations

STAFF REPORT

DESCRIPTION

CONDITIONAL USE PERMIT: Conditional Use Permit Request C28-14, submitted by Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, on behalf of Harmon Graham Properties, LLC, property owner, to establish a retirement village in accordance with Section(s) 31-306 and 31-406 of the Unified Development Ordinance.

APPLICANT: Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, on behalf of Harmon Graham Properties, LLC, property owner.

LOCATION: The properties affected are located at 401 Kings Fork Road, Zoning Map 25, Parcel 18A.

PRESENT ZONING: The property is currently zoned RU, Residential Urban (Conditional) zoning district.

EXISTING LAND USE: A single-family dwelling is located on the property however, the majority of the 11.8 acre parcel is undeveloped.

PROPOSED LAND USE: The application is requesting to construct a retirement village for individuals 55 years of age and older.

SURROUNDING LAND USES:
North: RR (Rural Residential) – Residential / Kings Fork Middle School;
East: RR (Rural Residential)/CP (Commerce Park) – Kings Fork Farm Sub./ Kings Fork H.S.;
South: RR (Rural Residential) – Kings Fork Farm Subdivision;
West: RR (Rural Residential) – Suffolk Youth Athletic Association - athletic field complex.

COMPREHENSIVE PLAN: The City's 2026 Comprehensive Plan identifies this property as being located within the Central Suburban/ Urban Growth Area (Suburban District).

CASE HISTORY:
Rezoning Request, RZ9-04, conditionally rezoned the parcel from RR, Rural Residential, to RU, Residential Urban to construct a retirement village for individuals 62 years of age and older and was approved in August 2005. This conditional rezoning is proposed to be amended and is scheduled for concurrent public hearing with this Conditional Use Permit request.

Conditional Use Permit Request, C10-05, to construct a retirement village was approved in August 2005. The proposal included two (2) three-story buildings containing a total of 120 units. This Conditional Use Permit has expired.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located within the City's Chesapeake Bay Preservation Area Overlay District and is designated as a Resource Management Area (RMA).

PUBLIC NOTICE: The request has been duly advertised in accordance with the public notice

requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance.

STAFF ANALYSIS

ISSUE

The applicant is requesting approval of a conditional use permit to construct a retirement village for individuals 55 years of age and older on the property at 401 Kings Fork Road. A single-family dwelling is located on the property however, the majority of the property is undeveloped. In August, of 2005 the applicant successfully rezoned the property and obtained a Conditional Use Permit in order to develop a 120 unit retirement village. In addition to proposing a substantially different layout the previously authorized Conditional Use Permit has expired, requiring the authorization of a new Conditional Use Permit.

CONSIDERATIONS AND CONCLUSIONS

1. Section 31-406 of the Unified Development Ordinance (UDO) requires that a conditional use permit be obtained for a retirement village within the RU, Residential Urban Zoning District.

2. City water and sewer is available to this site from an existing 24" water main and 10" gravity sewer main along Kings Fork Road. City Pump Station #28 is anticipated to receive the sanitary sewer flows from this project. During the design phase a Sewer Pump Station Model will need to be performed to determine if it has capacity to handle the sanitary sewer flows from this project. Required upgrades to City Pump Station #28 as a result of the sewer model will be at the expense of the developer.

3. The off-street parking requirements outlined in the UDO requires a minimum of one space per 3 units (17 spaces) and a maximum of 1 space per 1.5 units (75 spaces). The conceptual site plan provides adequate area to satisfy parking requirements.

4. The subject property is located within a Resource Management Area (RMA) and is subject to the applicable provisions of the stormwater management regulations. The provided plan does not depict any stormwater management facilities. The major water quality impact assessment proposes that various infiltration BMPs (Best Management Practices) will be utilized based on the seasonal high groundwater elevations. Preliminary geotechnical investigation will need to be conducted to determine the groundwater elevation and the adequacy of infiltration facilities prior to preparing final stormwater management plans.

5. Pursuant to Section 31-306 of the Unified Development Ordinance (UDO), a Conditional Use Permit recognizes uses that, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a Conditional Use Permit by City Council when the right set of circumstances and conditions are found acceptable.

Conditional Use Permit Approval Criteria (31-306(c)) - As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council and only if the applicant demonstrates that:

a) *The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 6 of the ordinance and any applicable supplemental use standards as set forth in Article 7 of the Ordinance.*

The proposed use of a retirement village is a listed conditional use in the RU zoning district per the City's Unified Development Ordinance. Supplemental standards are established for retirement villages in Section 31-713, of the Unified Development Ordinance (UDO), in regard to location, active recreation opportunities, and pedestrian amenities. The proposal meets the locational criteria and provides adequate areas to satisfy the recreational and pedestrian amenity requirements.

Specific Retirement Village Requirements – Section 31-713 of the UDO states Retirement Villages must meets the following design criteria.

i) *No rezoning shall be approved by the City Council which would permit a retirement village to be established contiguous to an existing retirement village.*

No existing retirement villages are contiguous to the proposed facility.

ii) *Not less than twenty-five percent (25%) of the land area subject to the application for development approval shall be devoted to active recreation including, but not limited to, golf courses, shuffleboard courts, picnic areas, fishing ponds or lakes, and similar uses.*

A narrative on the conceptual site plan states that picnic shelters, ADA accessible paved walkways, horseshoe court, raised garden area, and multipurpose sports/recreation field will be provided as part on the on-site recreational amenities and open space requirements.

iii) *The area subject to the application for development approval shall have a continuous and linked system of walkways, arranged in such a manner that no dwelling unit is more than 660 feet from a walkway.*

The narrative on the conceptual site plan states an accessible walkway will be provided around the housing units and recreational amenities. Benches should be provided along the walking trail and along the outside of the buildings.

b. *The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, or shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination,*

consideration should be given to the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

The property is zoned RU, Residential Urban (Conditional). The proposed conditional use is located on an 11.4 acre parcel. The applicant has provided conceptual site plan and building elevations. Development regulations in the Unified Development Ordinance (UDO) will be required to be satisfied in regard to building and site design. The operation of a retirement village is not inconsistent with other allowable uses currently operating within the RU zoning district or adjacent Rural Residential, RR zoning district.

c. *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.*

The property will be accessed by an entrance off of Kings Fork Road. Kings Fork Road is classified as a Minor Arterial roadway and as a Special Corridor Overlay District (SCOD) designated roadway. As such, the site plan for the proposed development will be required to comply with SCOD regulations, as noted in Section 31-412 of the UDO. The preliminary site plan appears to comply with the SCOD setbacks.

Based on the recommendations of the Traffic Impact Assessment, the applicant has offered to construct right and left turn lanes at the main entrance of the facility. The conceptual layout of the turn lanes has been reviewed and approved by the City's Traffic Engineer. A right-of-way dedication to provide half of the ultimate right-of way width along Kings Fork Road (resulting in a 20-foot right-of-way dedication) is required. A 12' right-of-way dedication has already occurred along a portion of the property's frontage.

d. *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.*

The proposed use is a retirement village which should not produce excess vibration, noise, odor, dust, smoke or gas. It is not anticipated that there will be any use attached with their activity which would impact the surrounding residences or adjacent uses.

e. *The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.*

The operation of this establishment should not be injurious to the uses in the immediate vicinity. The property is surrounded by lower density residential uses and vegetative screening buffers are required between zoning districts of different intensities. Existing vegetation should also be preserved around the perimeter of the development to maintain the rural nature of Kings Fork Road and to meet the tree

canopy requirements of the UDO. Preservation of the existing vegetation will serve to reduce the overall costs of required landscape improvements. Future site plan approval is contingent upon meeting the specified landscaping and screening standards outlined in Section 31-603 of the UDO.

f. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

The use of this property for a retirement village should not impede the orderly development and improvement of surrounding properties.

g. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The use of a retirement village should not be a detriment or endangerment to the public. The proposed one-story buildings and community building offer a mixture of design elements including covered entries, building wall and roof line off-sets, and decorative brackets and columns to add architectural interest and variety to the buildings. The exterior facades are proposed to be comprised of a mix of brick and vinyl siding.

h. The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.

The public interest and welfare should not be compromised by the proposed use of this facility.

RECOMMENDATION

It is staff's opinion that the site in question is appropriate for the proposed use of the facility and will not adversely impact the surrounding neighborhood. Therefore, staff recommends **approval** of Conditional Use Permit request C28-14 with the following conditions.

1. The proposed age-restricted multi-family development shall limit residency in the facility to individuals age 55 or older.

2. The applicant shall submit and obtain approval of a site plan that meets applicable Unified Development Ordinance (UDO) requirements including the provisions for left and right turn lanes. The site plan shall generally conform to the preliminary site plan entitled "Epps Senior Residences" prepared by Langley and McDonald, Inc., revised January 23, 2015 and the architectural elevations prepared by Martin Riley Associates, dated December 3, 2014.

3. Existing vegetation shall be preserved around the perimeter of the development. Where existing vegetation must be removed new evergreen screening landscaping shall be provided to comply with Section *31-603*, Landscaping Requirements, of the Unified

Development Ordinance (UDO) which requires screening of adjoining incongruent residential districts.

4. Not less than twenty-five percent (25%) of the land area shall be devoted to active recreation in accordance with Section 31-713 of the Unified Development Ordinance (UDO).

5. A continuous and linked system of walkways, shall be provided and arranged in such a manner that no dwelling unit is more than 660 feet from a walkway.

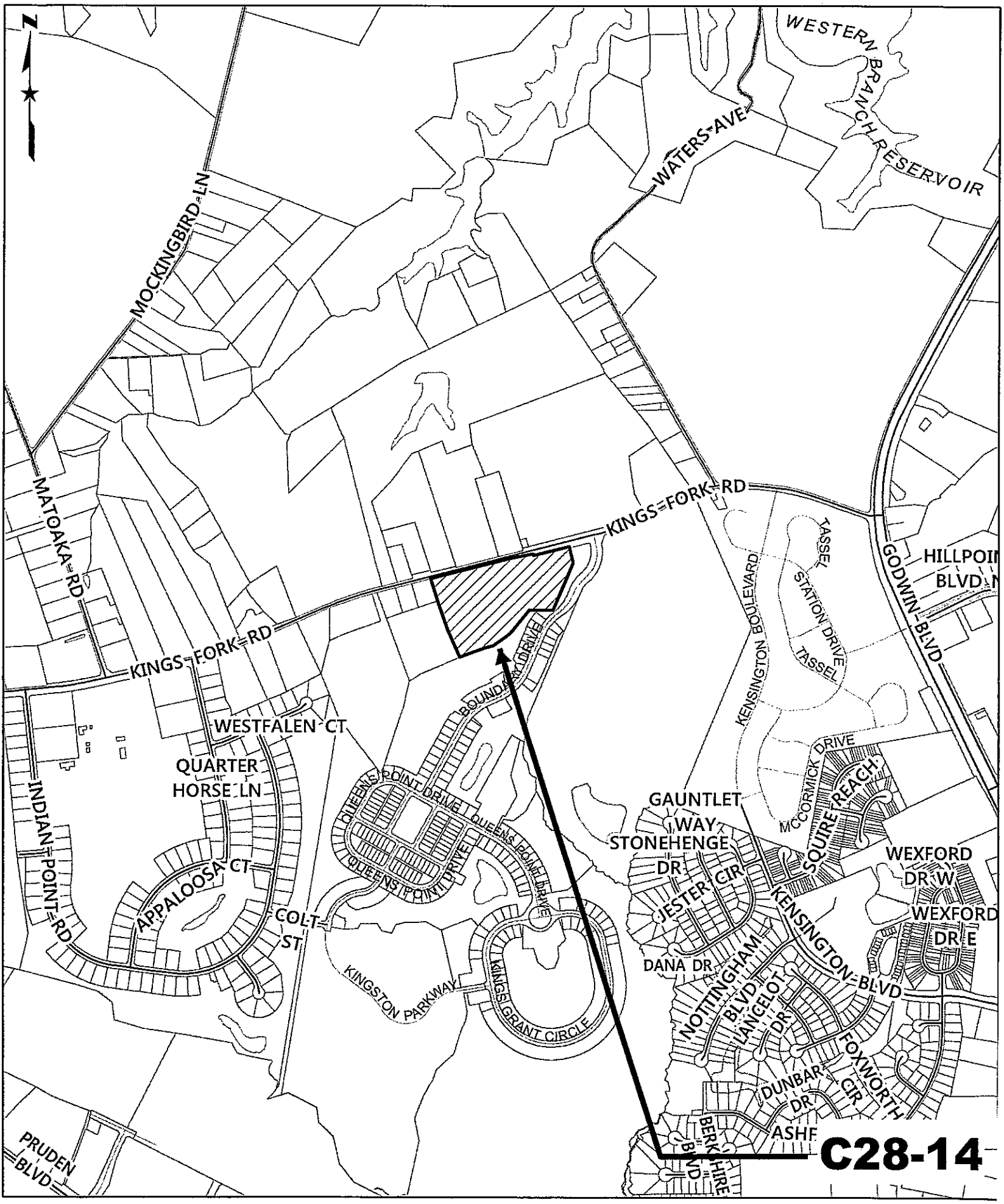
6. The property owner shall have a Sewer Pump Station Model performed to determine if it has capacity to handle the sanitary sewer flows from this project. Required utility upgrades as a result of the sewer model will be at the expense of the developer.

This request was approved for fast tracking from the Planning Commission's meeting of March 3, 2015 to the March 4, 2015 City Council meeting. In that regard, the Director of Planning will advise City Council of the Planning Commission's recommendation from their consideration on March 3, 2015.

Attachments

- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Zoning/Land Use Map
- Exhibit C – Site Plan/Architectural Elevations

General Location Map



ORDINANCE NO.

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A RETIREMENT VILLAGE ON PROPERTY LOCATED AT 401 KINGS FORK ROAD, ZONING MAP 25, PARCEL 18A; C28-14

WHEREAS, Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, on behalf of Harmon Graham Properties, LLC, property owner, has requested a conditional use for a retirement village on a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 25, Parcel 18A which land is depicted on Exhibit "B"; and,

WHEREAS, the procedural requirements of Article 3, Section 31-306 of the Code of the City of Suffolk, Virginia, 1998 (as amended), have been followed; and,

WHEREAS, in acting upon this request, the Planning Commission and City Council have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia (1950), as amended, and Article 1, Section 31-102 and Article 3, Section 31-306(c)(1 through 8) of the Code of the City of Suffolk, 1998 (as amended), with respect to the purposes stated in the Code of Virginia (1950), as amended, Sections 15.2-2200 and 15.2-2283; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Zoning/Land Use Map", and Exhibit "C", "Site Plan" and "Architectural Elevations", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

Council finds that the proposal for a conditional use permit, as submitted or modified with conditions herein, the expressed purpose of which is to permit a retirement village is in conformity with the standards of the Unified Development Ordinance of the City of Suffolk and that it will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood, and will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities with the conditions set forth below.

These findings are based upon the consideration for the existing use and character of property, the Comprehensive Plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for

various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of a retirement village is by the imposition of the conditions provided herein.

Section 3. Permit Granted.

The conditional use permit for the Property be, and it is hereby, approved for the Property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The conditional use permit is specifically for a retirement village in compliance with Sections 31-306 and 31-406 of the Code of the City of Suffolk.

Conditions

1. The proposed age-restricted multi-family development shall limit residency in the facility to individuals age 55 or older.

2. The applicant shall submit and obtain approval of a site plan that meets applicable Unified Development Ordinance (UDO) requirements including the provisions for left and right turn lanes. The site plan shall generally conform to the preliminary site plan entitled "Epps Senior Residences" prepared by Langley and McDonald, Inc., revised January 23, 2015 and the architectural elevations prepared by Martin Riley Associates, dated December 3, 2014.

3. Existing vegetation shall be preserved around the perimeter of the development. Where existing vegetation must be removed new evergreen screening landscaping shall be provided to comply with Section *31-603*, Landscaping Requirements, of the Unified Development Ordinance (UDO) which requires screening of adjoining incongruent residential districts.

4. Not less than twenty-five percent (25%) of the land area shall be devoted to active recreation in accordance with Section 31-713 of the Unified Development Ordinance (UDO).

5. A continuous and linked system of walkways, shall be provided and arranged in such a manner that no dwelling unit is more than 660 feet from a walkway.

6. The property owner shall have a Sewer Pump Station Model performed to determine if it has capacity to handle the sanitary sewer flows from this project. Required utility upgrades as a result of the sewer model will be at the expense of the developer.

Section 4. General Conditions.

(a) The conditional use permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days written notice to Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, and Harmon Graham Properties, LLC, property owner, or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.

(b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.

(c) The commencement of the use described in Section 3 of this ordinance shall be deemed acceptance by Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, and Harmon Graham Properties, LLC, property owner, or any party undertaking or maintaining such use, of the conditions to which the conditional use permit herein granted is subject.

Section 5. Severability.

It is the intention of the City Council that the provisions, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph, section and provision of this ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections and provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination.

Section 6. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

Section 7. Effective Date.

This ordinance shall be effective upon passage and shall not be published or codified. The conditional use authorized by this permit shall be implemented within two (2) years from the date of approval by the City Council and shall terminate if not initiated within that time period.

READ AND PASSED: _____

TESTE: _____
Erika Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

Exhibit A

RESOLUTION NO. 15-3-6

CITY OF SUFFOLK PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT C28-14

WHEREAS Gary R. Hammond, Jr. of Landbridge Development, LLC, applicant, on behalf of Harmon Graham Properties, LLC, property owner, has requested the issuance of a conditional use permit for a certain tract of land situated in the City of Suffolk, Virginia, which land is described and depicted on the proposed Ordinance attached hereto and incorporated herein by reference; and

WHEREAS, the specific request is to permit a retirement village in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a conditional use permit, as submitted or modified herein:

___a. Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

___b. Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

___ c. Will be no more injurious to property or improvements in the neighborhood, or

___ d. Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, C28-14, be:

___ a. Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.

___b. Denied, and that Council not adopt the proposed Ordinance.

___c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED:_____

TESTE:_____

CONDITIONAL USE PERMIT
C28-14

CONDITIONS

1. The proposed age-restricted multi-family development shall limit residency in the facility to individuals age 55 or older.

2. The applicant shall submit and obtain approval of a site plan that meets applicable Unified Development Ordinance (UDO) requirements including the provisions for left and right turn lanes. The site plan shall generally conform to the preliminary site plan entitled "Epps Senior Residences" prepared by Langley and McDonald, Inc., revised January 23, 2015 and the architectural elevations prepared by Martin Riley Associates, dated December 3, 2014.

3. Existing vegetation shall be preserved around the perimeter of the development. Where existing vegetation must be removed new evergreen screening landscaping shall be provided to comply with Section *31-603*, Landscaping Requirements, of the Unified Development Ordinance (UDO) which requires screening of adjoining incongruent residential districts.

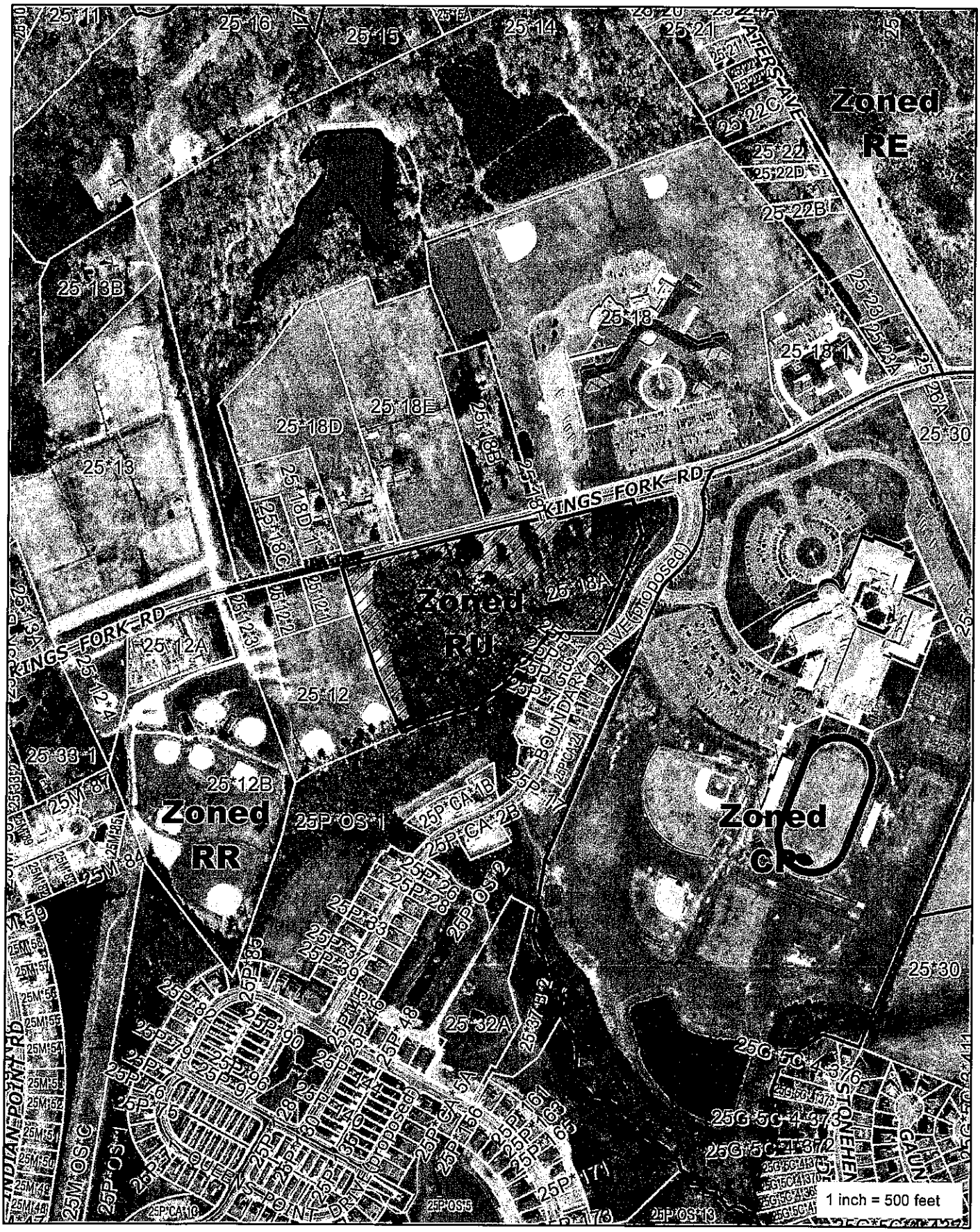
4. Not less than twenty-five percent (25%) of the land area shall be devoted to active recreation in accordance with Section 31-713 of the Unified Development Ordinance (UDO).

5. A continuous and linked system of walkways, shall be provided and arranged in such a manner that no dwelling unit is more than 660 feet from a walkway.

6. The property owner shall have a Sewer Pump Station Model performed to determine if it has capacity to handle the sanitary sewer flows from this project. Required utility upgrades as a result of the sewer model will be at the expense of the developer.

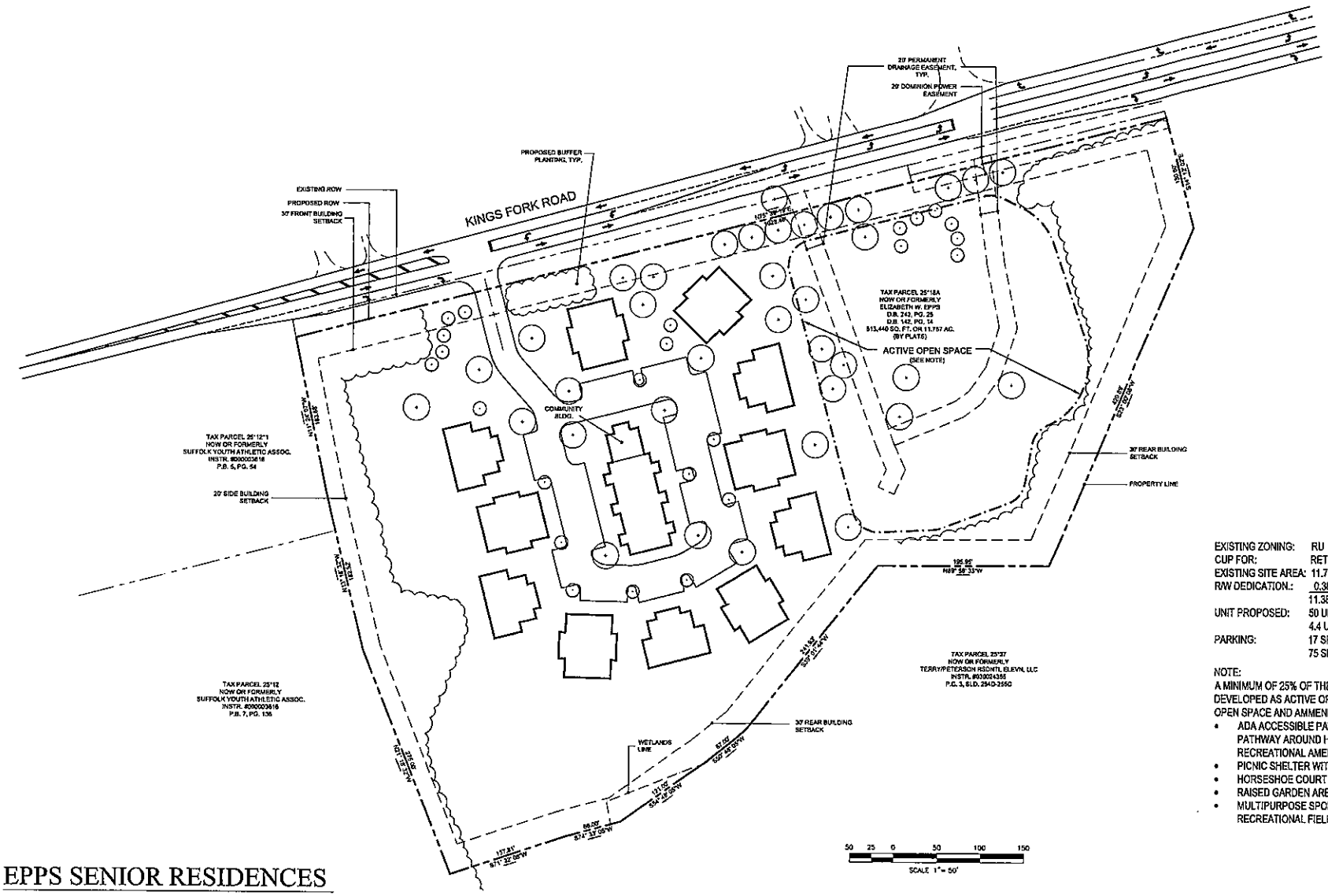
EXHIBIT B

C28-14 ZONING / LAND USE MAP



Aerial Imagery Sources: VGIN/ViTA VMBP 2013 Orthophotography and/or ESRI http://goto.arcgisonline.com/maps/World_Imagery Date: 12/5/2014

EXHIBIT C



EXISTING ZONING:	RU
CUP FOR:	RETIREMENT VILLAGE
EXISTING SITE AREA:	11.767 ACRES
R/W DEDICATION.:	0.389 AC
	11.389 AC
UNIT PROPOSED:	50 UNITS, SINGLE STORY
	4.4 UNITS / ACRE
PARKING:	17 SPACES, MINIMUM
	75 SPACES, MAXIMUM

NOTE:
A MINIMUM OF 25% OF THE SITE WILL BE DEVELOPED AS ACTIVE OPEN SPACE. ACTIVE OPEN SPACE AND AMMENITIES INCLUDE:

- ADA ACCESSIBLE PAVED WALK/JOG PATHWAY AROUND HOUSING UNITS AND RECREATIONAL AMENITIES
- PICNIC SHELTER WITH GRILLS
- HORSESHOE COURT
- RAISED GARDEN AREA
- MULTIPURPOSE SPORTS / RECREATIONAL FIELD

EPPS SENIOR RESIDENCES AT 401 KINGS FORK ROAD SUFFOLK, VIRGINIA

CUP SITE PLAN

11/26/14, REV. 01/23/15

Langley & McDonald, Inc
Engineering • Planning • Surveying
309 Lynnhaven Parkway
Virginia Beach, VA 23452
PH: (757) 463-6006 FAX: (757) 463-2643

L&M PROJECT NUMBER: 2014-002.01/23/15
L&M FILE NAME: CUP SITE PLAN

C28-14

EXHIBIT C

KINGS FORK APARTMENTS

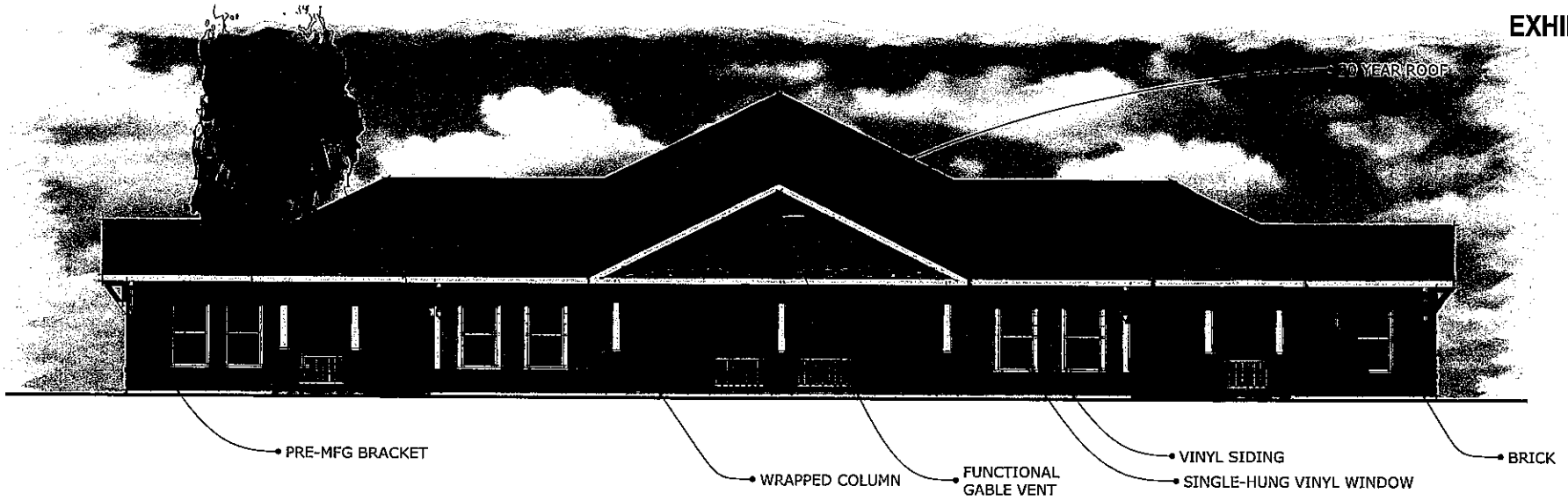
SUFFOLK, VA

12-3-14

C28-14

RENDERING BY: DANIEL J. SCALISE

EXHIBIT C



KINGS FORK APARTMENTS

SUFFOLK, VA

12-3-14

C28-14

REA - ROUND ROCK, TX

RENDERING BY: DANIEL J. SCALISE

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Public Hearing** – An ordinance to grant a conditional use permit to establish outdoor operations and storage, manufacturing/processing, materials recovery facility and recycling plant, on property located to the south of Pughsville Road, and adjacent to the City of Chesapeake municipal boundary, Zoning Map 13, Parcel 37; C20-14

Attached for your consideration is information pertaining to Conditional Use Permit Request C20-14, submitted by Thomas C. Kleine, Esquire, agent, on the behalf of, Barrett Hardiman, Director of Governmental Affairs, Luck Stone Corporation, applicant, on behalf of Pughsville Properties, LLC c/o Barrett Hardiman, property owners, to establish outdoor operations and storage, manufacturing / processing, materials recovery facility and recycling plant in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance. The affected property is identified as Zoning Map 13, Parcel 37 and is generally described as property located to the south of Pughsville Road, and adjacent to the City of Chesapeake municipal boundary. The affected area is further identified as being located in the Cypress Voting Borough, zoned M-2, Heavy Industrial zoning district. The 2026 Comprehensive Plan designates this area as a part of the Northern Suburban/ Urban Growth Area, Suburban development district.

The Planning Commission, at their meeting on January 20, 2015, voted 8 to 0 to approve a Resolution recommending **approval** of this request with conditions.

ATTACHMENTS:

- Staff Report
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Zoning/Land Use Map
- Exhibit "C", "Concept Plans"

STAFF REPORT

DESCRIPTION

CONDITIONAL USE PERMIT: Conditional Use Permit Request C20-14, submitted by Luck Stone Corporation, applicant, to permit manufacturing / processing, materials recovery facility and recycling plant, including outdoor operations and storage, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance.

APPLICANT: Submitted by Luck Stone Corporation, applicant

LOCATION: The affected property is located to the south of Pughsville Road, and adjacent to the City of Chesapeake municipal boundary and is further identified as Zoning Map 13, Parcel 37

PRESENT ZONING: M-2, Heavy Industrial

EXISTING LAND USE: Vacant Space (previously used as aggregate storage)

PROPOSED LAND USE: manufacturing / processing, materials recovery facility and recycling plant, including outdoor operations and storage

SURROUNDING LAND USES:

North –Vacant, zoned M-2, Heavy Industrial and RM, Residential Medium Density
South – Vacant, zoned M-2, Heavy Industrial
East – Vacant, zoned RM, Residential Medium Density
West – Vacant, zoned M-2, Heavy Industrial

COMPREHENSIVE PLAN: The 2026 Comprehensive Plan designates this area as a part of the Northern Suburban/ Urban Growth Area, Suburban development district.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located within the City's Chesapeake Bay Preservation Area Overlay District and is designated as a Resource Management Area (RMA).

PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance.

STAFF ANALYSIS

ISSUE

The applicant is requesting approval of a conditional use to permit manufacturing / processing, materials recovery facility and recycling plant, including outdoor operations and storage, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance. The applicant proposes to develop portions of two (2) adjacent industrially-zoned parcels for

industrial uses, one of which is located in the City of Suffolk, and the other of which is located in the City of Chesapeake. Utilities and access to both parcels will be provided exclusively from Bromay Street, which is located within the City of Chesapeake.

The proposed uses for that portion of the property located within the City of Suffolk are: the construction and operation of a Hot Mix Asphalt Plant, and a Concrete Crushing and Recycling Facility.

The hot mix asphalt plant will produce asphaltic concrete which will be used for local construction projects. Some of the raw materials necessary for this production activity, such as stone aggregate, will arrive to the site by rail and will be stored in outdoor storage bins. Other raw materials, such as liquid asphalt, asphalt millings, and others, will be trucked to the site and kept in storage silos.

The concrete crushing and recycling facility will receive old demolished concrete by dump truck. The trucks will unload the concrete within the designated area, and front end loaders and/or excavators will load the old concrete into the concrete crusher, where it will be broken down into small aggregate sized pieces. The crushed concrete will be stored on-site until an order is placed for crushed concrete.

An adjacent parcel located in the City of Chesapeake will be used in conjunction with the property for rail unloading, materials stockpiling, wholesale and/or retail sales, and concrete production, and will also be the location of the primary vehicular and pedestrian entrance to the site (from Bromay Street in the City of Chesapeake). City staff has discussed the coordination of this project with staff at the City of Chesapeake. The applicant is also pursuing a conditional use permit with the City of Chesapeake for the elements of the site located within its municipal boundaries.

CONSIDERATIONS AND CONCLUSIONS

1. Section 31-406 of the Unified Development Ordinance (UDO) requires that a conditional use permit be obtained for a manufacturing / processing, materials recovery facility and recycling plant, including outdoor operations and storage within the M-2, Heavy Industrial Zoning District.

2. The proposed property parcel in Suffolk does not have frontage on a City of Suffolk roadway and City water and sewer service is not available for connection. A 12" water main is located nearby along Pughsville Road but wetlands would be impacted by a water line extension to the site. Sewer service is not available along Pughsville Road. This Conditional Use Permit request proposes that water and sewer service be provided to the parcel located in Suffolk from the City of Chesapeake. A service agreement must be executed between the Cities of Suffolk and Chesapeake, which will require City Council action. This agreement will require City Council action and should be a condition of this Conditional Use Permit.

3. This site will require the approval of a site plan. At that time, the site will be evaluated for compliance with the design and improvement requirements of the Unified Development Ordinance.

4. General hours of operation for the facility, in particular the concrete crushing and recycling operations, would be from 7:00AM to 5:00PM, Monday through Friday. However, the applicant does anticipate operating the asphalt plant beyond these scheduled days and hours to be able to supply materials for roadway projects, many of which occur on nights and weekends. The concrete crushing facility would not be used beyond the proposed operating hours.

5. Access to the site will be provided by rail and by roadway within the City of Chesapeake. As such, no concerns exist regarding traffic impacts. Currently, the schematic site plan for on-site driveways proposed gravel drives. However, per the Unified Development Ordinance, improved (paved) drives will be required. Details regarding compliance will be evaluated at the time of site plan review.

6. The maximum allowable building height in the M-2, Heavy Industrial Zoning District is 65 feet. However, per provisions of the UDO in section 31-407(f)(2), an additional height of 12-feet may be allowed with a 50-foot increase in setback. The applicant has indicated that the tallest equipment will be no taller than 77-feet. Compliance with the setback will be verified at the time of site plan approval.

7. Pursuant to Section 31-306 of the Unified Development Ordinance (UDO), a Conditional Use Permit recognizes uses that, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a Conditional Use Permit by City Council when the right set of circumstances and conditions are found acceptable.

   Conditional Use Permit Approval Criteria (31-306(c)) - As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council and only if the applicant demonstrates that:

   a) *The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 6 of the ordinance and any applicable supplemental use standards as set forth in Article 7 of the Ordinance.*

      The proposed use of manufacturing / processing, materials recovery facility and recycling plant, including outdoor operations and storage is a listed conditional use in the M-2 zoning district per the City's Unified Development Ordinance. Supplemental standards are not established for the proposed use; compliance with Article 6 of the Ordinance will be confirmed at the time of site plan approval.

   b) *The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, or shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination,*

consideration should be given to the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

While this property is located adjacent to residentially zoned land, the adjacent property is vacant and is not particularly well-suited for residential use. No City sanitary sewer exists in the vicinity. The absence of public streets and utilities as well as the presence of wetlands and poorly draining soils have precluded the development of residential use on the adjacent residentially zoned properties. The applicant has acknowledged that should residential uses develop as is presently allowed, modifications of the proposed facility would be needed. It is not practical to provide compliance with section 31-608, with respect to noise level reading and section 31-603 with respect to screening on properties adjacent to residential districts if no residential uses exist. Therefore, staff is recommending a condition that buffering, screening and other mitigating measures be established at the time of the institution of residential uses on the adjacent property.

c) *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.*

This request has been reviewed by the City's Traffic Engineer. All access to the site will be provided by roadways within the City of Chesapeake. As such, no traffic impacts are anticipated in the City of Suffolk with regard to this use.

d) *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.*

The proposed uses for this site can be expected to produce some vibration, noise, and dust. Compliance with the performance standards established by Section 31-608 of the Unified Development Ordinance help to mitigate these issues. In addition, this site is surrounded by undeveloped, vegetated properties. This isolation further mitigate the impacts of the facility. The proposed uses are also subject to other regulatory requirements via state and Federal regulations which address the potential impacts.

e) *The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.*

The property is located in a sparsely developed area. The property is zoned M-2, Heavy Industrial zoning district. Significant undeveloped areas are proposed to remain on the subject size.

f) *The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.*

While this property is located adjacent to residentially zoned land, the adjacent

property is not particularly well-suited for residential use. No City sanitary sewer exists in the vicinity. The lack of public streets and utilities as well as the presence of wetlands and poorly draining soils have precluded the development of residential uses. The applicant has acknowledged that should residential uses develop as is presently allowed, modifications of the proposed facility would be needed. It is not practical to provide compliance with section 31-608, with respect to noise level reading and section 31-603 with respect to screening on properties adjacent to residential districts if no residential uses exist. Therefore, staff is recommending a condition that buffering, screening and other mitigating measures be established at the time of the institution of residential uses on the adjacent property.

g) *The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*

The use of a manufacturing / processing, materials recovery facility and recycling plant, including outdoor operations and storage) should not be a detriment or endangerment to the public with the proposed conditions as outlined in the attached ordinance.

h) *The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.*

The public interest and welfare should not be compromised by the proposed use of this facility with the proposed conditions.

RECOMMENDATION

It is staff's opinion that the site in question is appropriate for the proposed use of the facility and will not adversely impact the surrounding neighborhood. Therefore, staff recommends **approval** of Conditional Use Permit request C20-14 with the following conditions.

1) The use authorized by this conditional use permit shall be limited to the establishment of the following:
   a) Hot mix asphalt plant as located on the attached Exhibit "C"
   b) Concrete crushing and recycling facility as located on the attached Exhibit "C"
   c) Outdoor storage of production materials and finished product as located on the attached Exhibit "C"

2) Hours of operation for the concrete crushing and recycling facility will be limited to 7:00AM to 5:00PM, Monday through Friday.

3) Piles of unprocessed product and supply piles shall not exceed 35 feet in height.

4) No portion of the facility shall exceed 77 feet in height. Any portion of the facility exceeding 65 feet in height will be located at least 50 feet from any residentially zoned property.

5) A site plan must be submitted and approved for this site prior to establishment of these uses authorized by the conditional use permit

6) Prior to the establishment of these uses authorized by the conditional use permit, access to the City of Chesapeake municipal water and sewer services must be approved, via a service agreement by both the City of Suffolk and the City of Chesapeake.

7) The requirements of section 31-608, with respect to noise level reading only and section 31-603 with respect to screening on properties adjacent to residential districts will be implemented with the development of the adjacent property located to the north and east of the conditional use permit area for residential uses.

The Planning Commission, at their meeting on January 20, 2015, voted 8 to 0 to approve a Resolution recommending **approval** of this request with the seven (7) conditions noted above plus one additional condition, as then recommended by staff. This additional condition required that a 50-foot wide ingress / easement and utilities easement be established between Bromay Street (located in the City of Chesapeake) and the adjacent property to the north, terminating at a location commonly referred to as Hunter Street (a "paper street" located in the City of Suffolk).

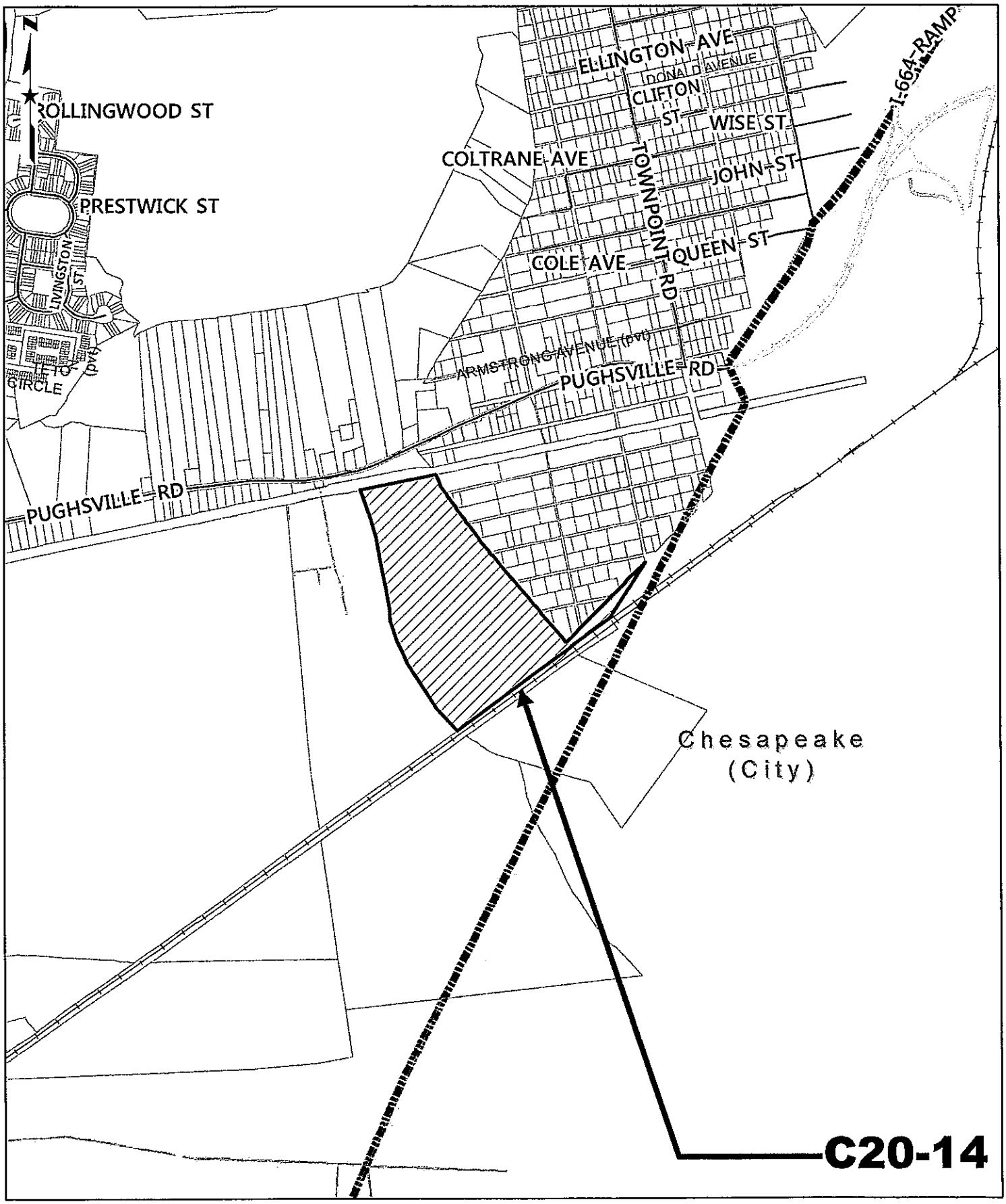
Subsequent to the Planning Commission's meeting of January 20, 2015 staff discussed this particular condition with the applicant, and upon further consideration, has modified its initial recommendation. Specifically, it is staff's belief that a condition requiring the establishment of such an easement is not warranted, and accordingly, such a condition is not included in the proposed approving ordinance (attached).

Attachments

- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Zoning/Land Use Map
- Exhibit "C", "Concept Plans"

Copy to: Thomas Kleine, Troutman Sanders, LLP
Barrett Hardiman, Luck Stone Corporation

General Location Map



ORDINANCE NO.

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH OUTDOOR OPERATIONS AND STORAGE, MANUFACTURING/PROCESSING, MATERIALS RECOVERY FACILITY AND RECYCLING PLANT ON PROPERTY LOCATED TO THE SOUTH OF PUGHSVILLE ROAD, AND ADJACENT TO THE CITY OF CHESAPEAKE MUNICIPAL BOUNDARY, ZONING MAP 13, PARCEL 37; C20-14

WHEREAS, Luck Stone Corporation, applicant for property owned by Pughsville Properties, LLC, has requested a conditional use permit to establish outdoor operations and storage, manufacturing/processing, materials recovery facility and recycling plant on a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 13, Parcel 37 which land is depicted on Exhibit "B"; and,

WHEREAS, the procedural requirements of Article 3, Section 31-306 of the Code of the City of Suffolk, Virginia, 1998 (as amended), have been followed; and,

WHEREAS, in acting upon this request, the Planning Commission and City Council have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia (1950), as amended, and Article 1, Section 31-102 and Article 3, Section 31-306(c)(1 through 8) of the Code of the City of Suffolk, 1998 (as amended), with respect to the purposes stated in the Code of Virginia (1950), as amended, Sections 15.2-2200 and 15.2-2283; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Zoning/Land Use Map", and Exhibit "C", "Concept Plans", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

Council finds that the proposal for a conditional use permit, as submitted or modified with conditions herein, the expressed purpose of which is to permit outdoor operations and storage, manufacturing / processing, materials recovery facility and recycling plant is in conformity with the standards of the Unified Development Ordinance of the City of Suffolk and that it will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood, and will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and

height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities with the conditions set forth below.

These findings are based upon the consideration for the existing use and character of property, the Comprehensive Plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of outdoor operations and storage, manufacturing/processing, materials recovery facility and recycling plant is by the imposition of the conditions provided herein.

Section 3. Permit Granted.

The conditional use permit for the Property be, and it is hereby, approved for the Property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The conditional use permit specifically permits outdoor operations and storage, manufacturing/processing, materials recovery facility and recycling plant in compliance with Sections 31-306 and 31-406 of the Code of the City of Suffolk.

Conditions

1) The use authorized by this conditional use permit shall be limited to the establishment of the following:
   a) Hot mix asphalt plant as located on the attached Exhibit "C";
   b) Concrete crushing and recycling facility as located on the attached Exhibit "C";
   c) Outdoor storage of production materials and finished product as located on the attached Exhibit "C".

2) Hours of operation for the concrete crushing and recycling facility will be limited to 7:00AM to 5:00PM, Monday through Friday.

3) Piles of unprocessed product and supply piles shall not exceed 35 feet in height.

4) No portion of the facility shall exceed 77 feet in height. Any portion of the facility exceeding 65 feet in height will be located at least 50 feet from any residentially zoned property.

5) A site plan must be submitted and approved for this site prior to establishment of these uses authorized by the conditional use permit.

6) Prior to the establishment of these uses authorized by the conditional use permit, access to the City of Chesapeake municipal water and sewer services must be approved, via a service agreement by both the City of Suffolk and the City of Chesapeake.

7) The requirements of section 31-608, with respect to noise level reading only and section 31-603 with respect to screening on properties adjacent to residential districts will be implemented with the development of the adjacent property located to the north and east of the conditional use permit area for residential uses

Section 4. General Conditions.

(a) The conditional use permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days written notice to Luck Stone Corporation, applicant, and Pughsville Properties, LLC, owner, or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.

(b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.

(c) The commencement of the use described in Section 3 of this ordinance shall be deemed acceptance by Luck Stone Corporation, applicant, and to Pughsville Properties, LLC, owner, or any party undertaking or maintaining such use, of the conditions to which the conditional use permit herein granted is subject.

Section 5. Severability.

It is the intention of the City Council that the provisions, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph, section and provision of this ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections and provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination.

Section 6. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

Section 7. Effective Date.

This ordinance shall be effective upon passage and shall not be published or codified. The conditional use authorized by this permit shall be implemented within two (2) years from the date of approval by the City Council and shall terminate if not initiated within that time period.

READ AND PASSED: _____

TESTE: _____
Erika Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

Exhibit A

RESOLUTION NO. 15-01-1

CITY OF SUFFOLK PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT C20-14

WHEREAS, Luck Stone Corporation, applicant, has requested the issuance of a conditional use permit for a certain tract of land for property owned by Pughsville Properties, LLC, situated in the City of Suffolk, Virginia, which land is described and depicted on the proposed Ordinance attached hereto and incorporated herein by reference; and

WHEREAS, the specific request is to establish outdoor operations and storage, manufacturing / processing, materials recovery facility and recycling plant in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a conditional use permit, as submitted or modified herein:

_X_ a. Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

__ b. Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

_X_ c. Will be no more injurious to property or improvements in the neighborhood, or

__ d. Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, C20-14, be:

__ a. Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.

__ b. Denied, and that Council not adopt the proposed Ordinance.

_X_c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: January 20, 2015

TESTE: [signature]

CONDITIONAL USE PERMIT
C20-14

CONDITIONS

1) The use authorized by this conditional use permit shall be limited to the establishment of the following:
   a) Hot mix asphalt plant as located on the attached Exhibit "C"
   b) Concrete crushing and recycling facility as located on the attached Exhibit "C"
   c) Outdoor storage of production materials and finished product as located on the attached Exhibit "C"

2) Hours of operation for the concrete crushing and recycling facility will be limited to 7:00AM to 5:00PM, Monday through Friday.

3) Piles of unprocessed product and supply piles shall not exceed 35 feet in height.

4) No portion of the facility shall exceed 77 feet in height. Any portion of the facility exceeding 65 feet in height will be located at least 50 feet from any residentially zoned property.

5) A site plan must be submitted and approved for this site prior to establishment of these uses authorized by the conditional use permit

6) A 50-foot wide ingress / easement and utilities easement shall be established between Bromay Street (located in the City of Chesapeake) and the adjacent property to the north, terminating at a location commonly referred to as Hunter Street (a "paper street" located in the City of Suffolk).

7) Prior to the establishment of these uses authorized by the conditional use permit, access to the City of Chesapeake municipal water and sewer services must be approved, via a service agreement by both the City of Suffolk and the City of Chesapeake.

8) The requirements of section 31-608, with respect to noise level reading only and section 31-603 with respect to screening on properties adjacent to residential districts will be implemented with the development of the adjacent property located to the north and east of the conditional use permit area for residential uses

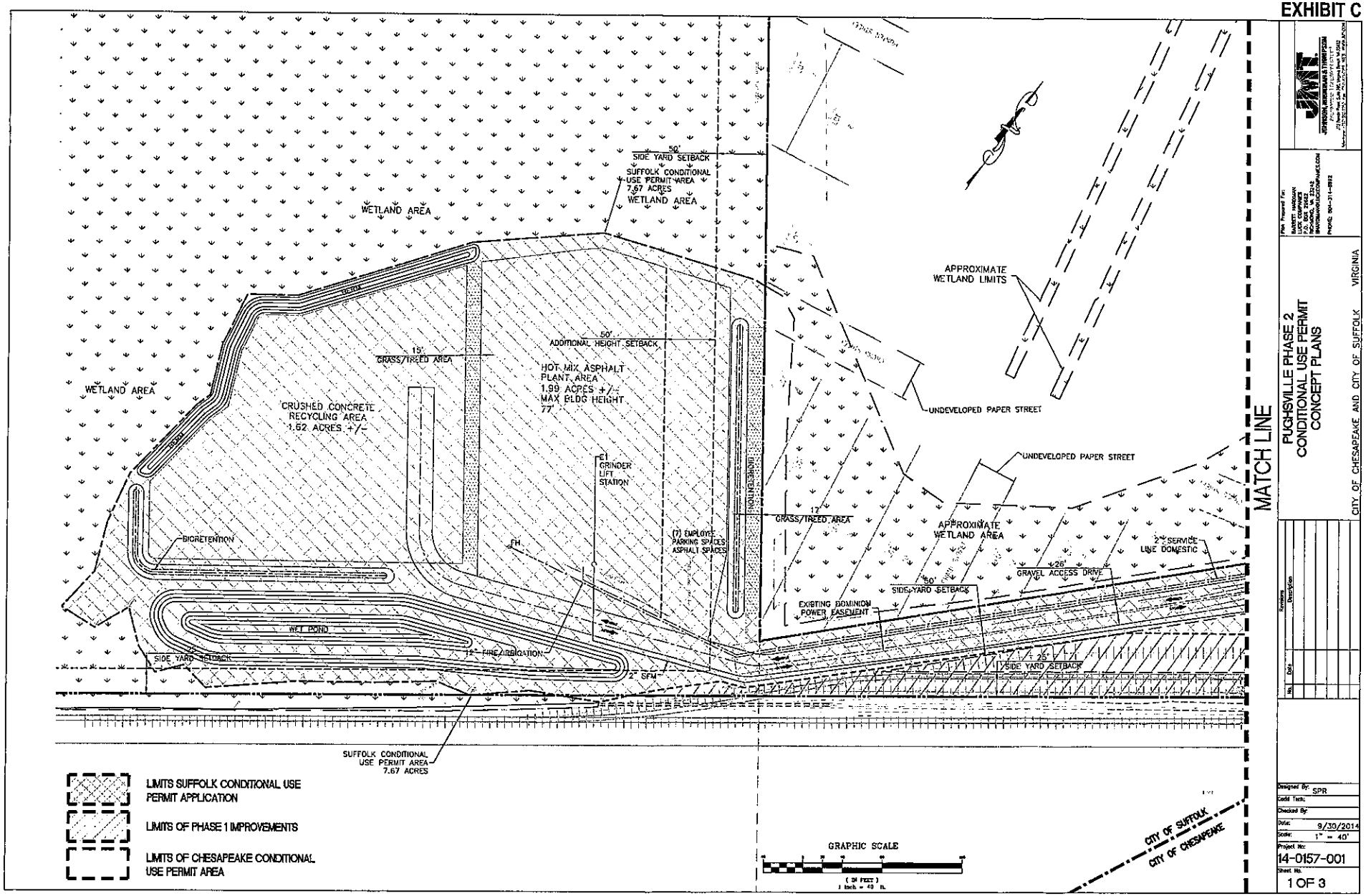
EXHIBIT B

C20-14 ZONING / LAND USE MAP

Aerial Imagery Sources: VGIN/VITA VMBP 2013 Orthophotography and/or ESRI http://goto.arcgisonline.com/maps/World_Imagery

Date: 10/1/2014

EXHIBIT C



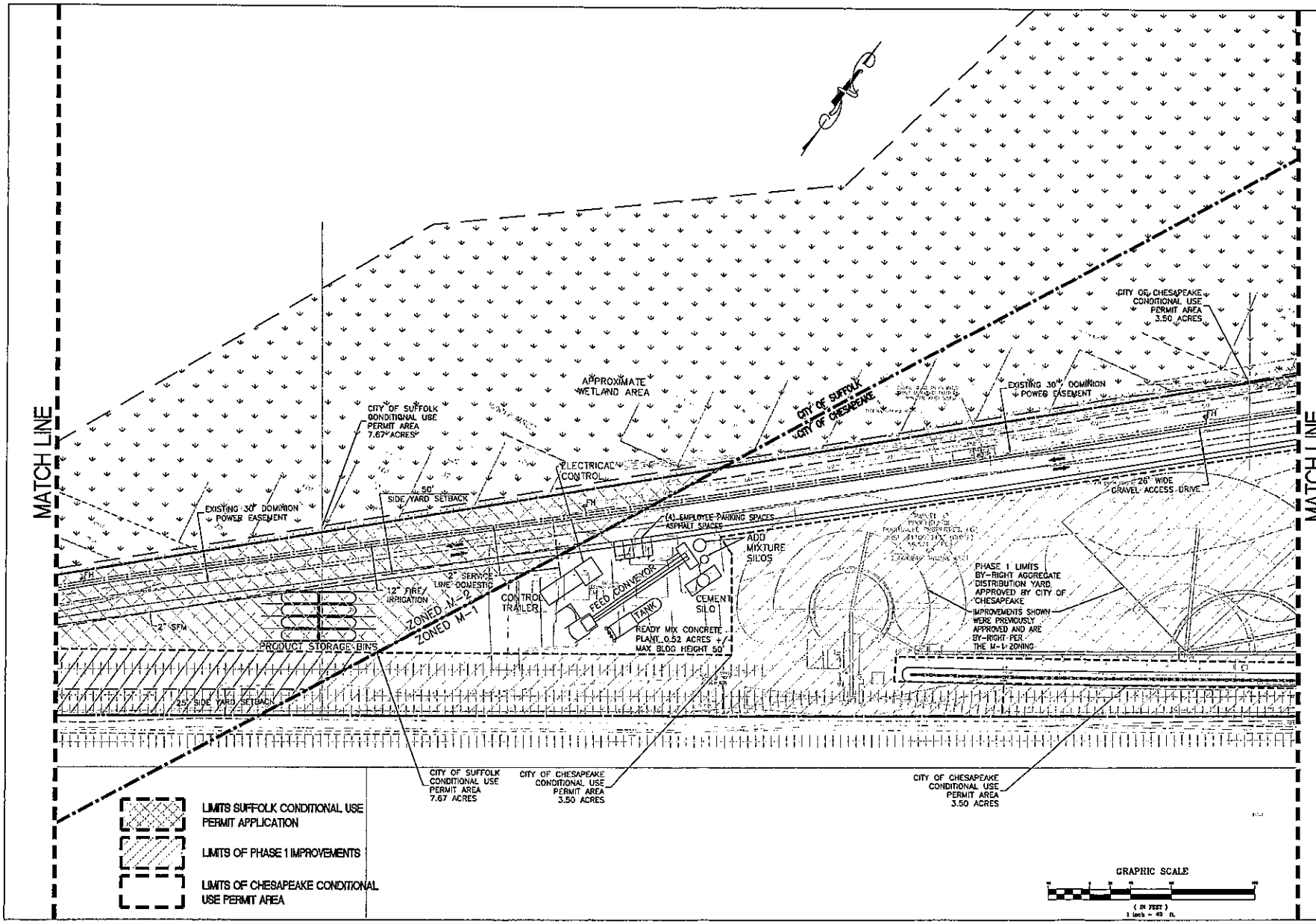
PUGHSVILLE PHASE 2
CONDITIONAL USE PERMIT
CONCEPT PLANS

CITY OF CHESAPEAKE AND CITY OF SUFFOLK VIRGINIA

Designed By:	SPR
Field Tech:	
Checked By:	
Date:	9/30/2014
Scale:	1" = 40'
Project No:	14-0157-001
Sheet No:	1 OF 3

C20-14

EXHIBIT C

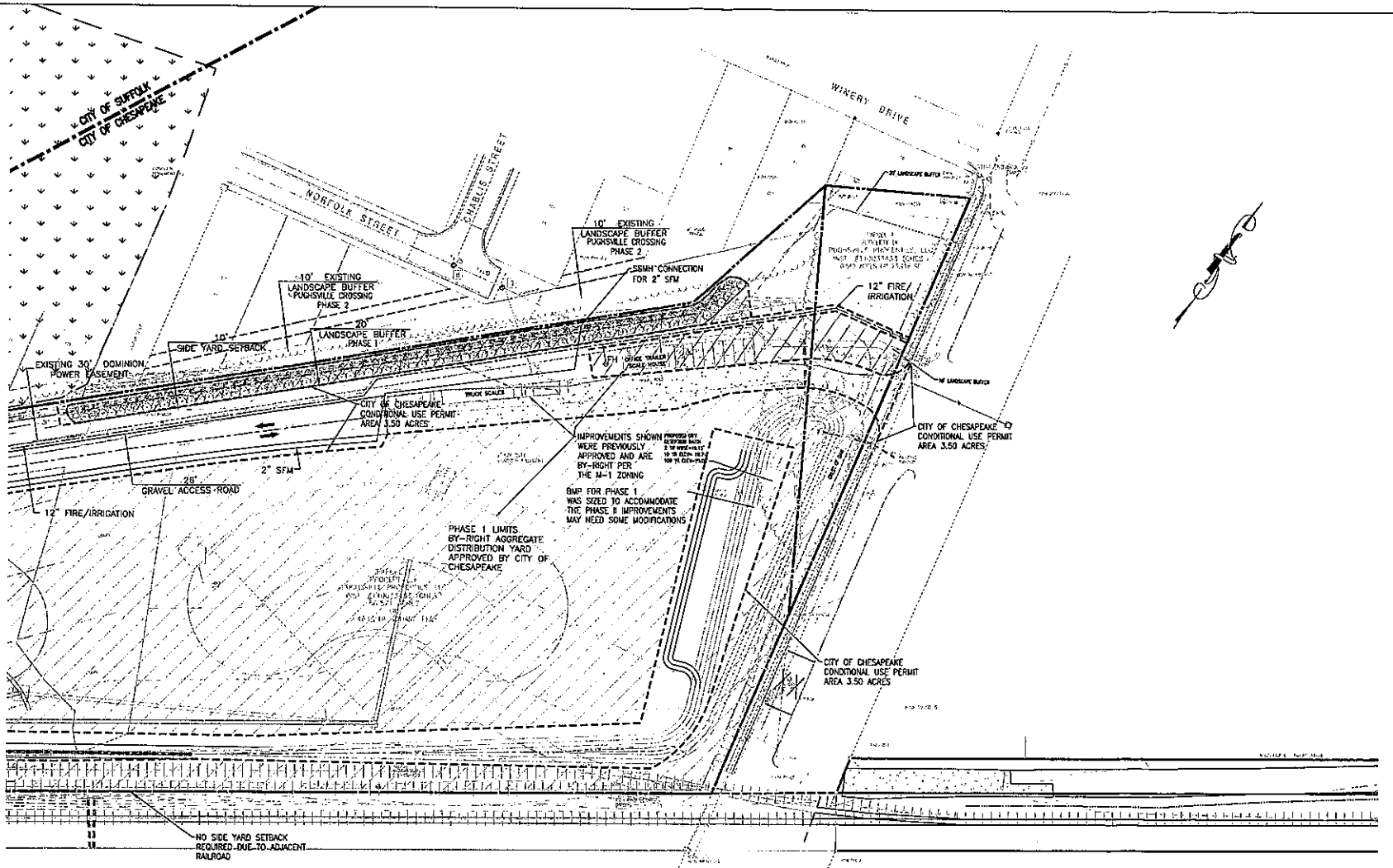


PUGHSVILLE PHASE 2
CONDITIONAL USE PERMIT
CONCEPT PLANS

CITY OF CHESAPEAKE AND CITY OF SUFFOLK VIRGINIA

Designed By: SPR
Drawn By:
Checked By:
Date: 9/30/2014
Scale: 1" = 40'
Project No: 14-0157-001
Sheet No: 2 OF 3

C20-14



JOHNSON, RIDDERHOF & THOMPSTON

Prepared For:
SURFECT SANDSAW
LLC OF VIRGINIA
P.O. BOX 29422
RICHMOND, VA 23242
PHONE: 804-314-6822

PUGHSVILLE PHASE 2
CONDITIONAL USE PERMIT
CONCEPT PLANS

CITY OF CHESAPEAKE AND CITY OF SUFFOLK VIRGINIA

No.	Date	Description

Designed By: SPR
Field Tech:
Checked By:
Date: 9/30/2014
Scale: 1" = 40'
Project No: 14-0157-001
Sheet No. 3 OF 3

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Public Hearing** – An ordinance to grant a Conditional Use Permit to establish a vehicle rentals - passenger vehicles only, including recreational vehicles business (U-Haul) on property located at 6540 Hampton Roads Parkway, Zoning Map 6, Parcel 13A*3; C25-14

Attached for your consideration is information pertaining to Conditional Use Permit Request C25-14, submitted by Denise Wallesen, Divaris Property Management Corporation, agent, on behalf of James Wright, applicant, on behalf of CTR Associates, L.L.P., property owner, in accordance with Section(s) 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a vehicle rentals - passenger vehicles only, including recreational vehicles business (U-Haul) on property located at 6540 Hampton Roads Parkway, Zoning Map 6, Parcel(s) 13A*3. The affected area is further identified as being located in the Nansemond Voting Borough, zoned B-2, General Commercial zoning district. The 2026 Comprehensive Plan designates this area as a part of the Northern Suburban / Urban Growth Area, Mixed Use Core development district.

The Planning Commission, at their meeting of January 20, 2015, voted 8 to 0 to approve a resolution recommending **approval** of this request.

ATTACHMENTS:

- Staff Report
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Zoning/Land Use Map
- Exhibit C – Site Plan

STAFF REPORT

DESCRIPTION

CONDITIONAL USE PERMIT: Conditional Use Permit Request C25-14, submitted by Denise Wallesen, Divaris Property Management Corporation, agent, on behalf of James Wright, applicant, on behalf of CTR Associates, L.L.P., property owner, in accordance with Section(s) 31-306 and 31-406 of the Unified Development Ordinance.

APPLICANT: Submitted by Denise Wallesen, Divaris Property Management Corporation, agent, on behalf of James Wright, applicant, on behalf of CTR Associates, L.L.P., property owner.

LOCATION: The affected property is located at 6540 Hampton Roads Parkway, Suite 102 in the College Crossing at Harbourview Shopping Center and is further identified as Zoning Map 6, Parcel(s) 13A*3.

PRESENT ZONING: B-2, General Commercial.

EXISTING LAND USE: Shopping Center.

PROPOSED LAND USE: Vehicle rentals - passenger vehicles only, including recreational vehicles (U-Haul).

SURROUNDING LAND USES:

North – Single-family residential, zoned PD;
South – Multi-family residential and electric substation, zoned MUD and B-2;
East – Shopping center, zoned B2;
West – Vacant (reserved for future shopping center expansion), zoned B-2.

COMPREHENSIVE PLAN: The 2026 Comprehensive Plan designates this area as a part of the Northern Suburban / Urban Growth Area, Mixed Use Core development district.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located within the City's Chesapeake Bay Preservation Area Overlay District and is designated as a Resource Management Area (RMA).

PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance.

STAFF ANALYSIS

ISSUE

The applicant is requesting approval of a conditional use permit to utilize a unit within the structure at 6540 Hampton Roads Parkway for a U-Haul vehicle reservation center. The Zoning Administrator has indicated that this use is defined as vehicle rentals - passenger vehicles only,

including recreational vehicles. The unit is currently vacant. The proposed facility is located in a shopping center along with retail/commercial uses. The applicant will also be operating a computer repair store within the storefront unit.

CONSIDERATIONS AND CONCLUSIONS

1. Section 31-406 of the Unified Development Ordinance (UDO) requires that a conditional use permit be obtained for vehicle rentals - passenger vehicles only, including recreational vehicles within the B-2, General Commercial Zoning District.

2. This site is currently served by public water and sewer.

3. The off-street parking requirements outlined in the UDO requires a minimum of one space per 500 square feet of gross floor area and a maximum of 1 space per 215 square feet of gross floor area for repair shops and other service business including vehicle rentals. The shopping center provides adequate off-street parking to serve this proposed use.

4. The Department of Public Works has indicated it has no concerns regarding stormwater since this proposed use is utilizing an existing unit within the shopping center with no building or impervious area expansion proposed. No impact to water quality is anticipated. The Department of Public Works has indicated that this is an existing site and this use presents no traffic concerns

5. The applicant will be required to address any issues regarding occupancy of the proposed space pertaining to the Building Code with the Division of Community Development. Occupancy limits will be established by the Building Official.

6. The applicant has indicated that this use is planned for Suite 102 within the College Crossing at Harbourview Shopping Center; however, the lease terms allow for the opportunity to relocate within the retail building to other retail space. Any relocation within the center will need to be in compliance with Section 31-306(g) of the Unified Development Ordinance.

7. Pursuant to Section 31-306 of the Unified Development Ordinance (UDO), a Conditional Use Permit recognizes uses that, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a Conditional Use Permit by City Council when the right set of circumstances and conditions are found acceptable.

   Conditional Use Permit Approval Criteria (31-306(c)) - As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council and only if the applicant demonstrates that:

   a) *The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 6 of the ordinance and any*

applicable supplemental use standards as set forth in Article 7 of the Ordinance.

The proposed use of vehicle rentals - passenger vehicles only, including recreational vehicles is a listed conditional use in the B-2 zoning district per the City's Unified Development Ordinance. Supplemental standards are not established for the vehicle rentals.

b) *The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, or shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration should be given to the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.*

The proposed conditional use is located in an existing shopping center. The operation of vehicle rentals is not inconsistent with other allowable uses currently operating within the shopping center or other uses within the B-2 district.

c) *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.*

The request for vehicle rentals has been reviewed by the City's Traffic Engineer who expressed no concerns regarding parking or traffic for the proposed use and location.

d) *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.*

The proposed use is vehicle rentals should not produce excess vibration, noise, odor, dust, smoke or gas. It is not anticipated that there will be any use attached with their activity which would impact the surrounding residences or adjacent commercial uses.

e) *The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.*

The property is located in an established shopping center. The tenant space which will include the proposed use is currently vacant. The operation of this establishment should not be injurious to the uses in the immediate vicinity. The adjacent residences are buffered from the existing shopping center by a solid fence and landscape screening. Futhermore, the applicant has stated in the narrative submitted with the application that the storage of rental vehicles and equipment will be limited to a maximum area of 2,400 square feet (80 ft. x 30 ft.) to the rear of the unit on an improved surface. The location of the storage lot should not interfere or adversely impact adjacent businesses.

f) The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

The property is located in an existing commercial space within an existing shopping center. The use of this property for vehicle rentals should not impede the orderly development and improvement of surrounding properties.

g) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The use of vehicle rentals should not be a detriment or endangerment to the public. The adjacent residences are buffered from the existing shopping center by a solid fence and landscape screening.

h) The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.

The public interest and welfare should not be compromised by the proposed use of this facility.

RECOMMENDATION

It is staff's opinion that the site in question is appropriate for the proposed use of the facility and will not adversely impact the surrounding neighborhood. Therefore, staff recommends **approval** of Conditional Use Permit request C25-14 with the following conditions.

1. A maximum of two (2) rental vehicles or similar equipment may be parked in the front of the shopping center, between the existing building and Hampton Roads Parkway.

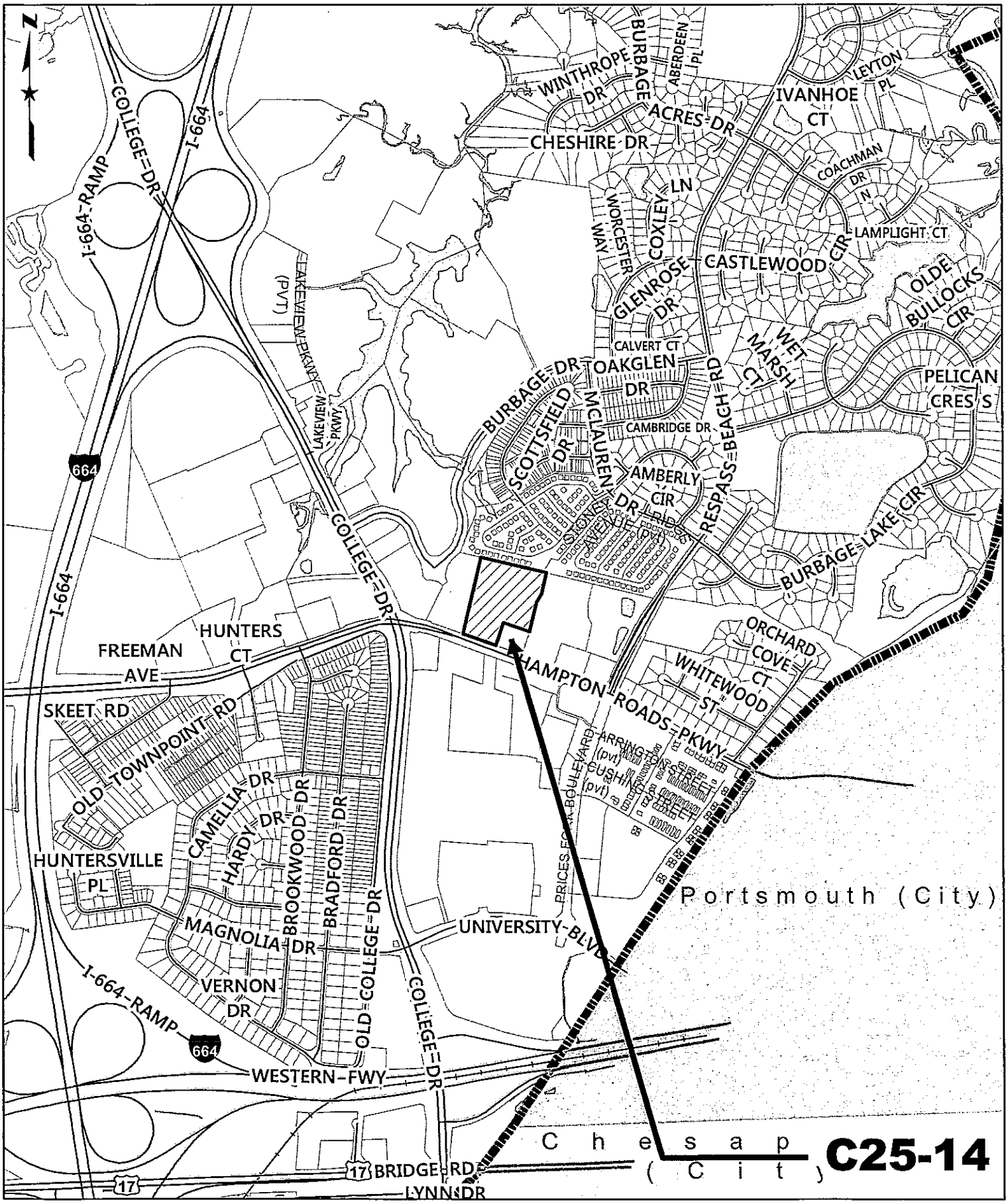
2. All additional rental vehicles or similar rental equipment shall be parked on the existing asphalt loading/parking area to the rear of the shopping center as depicted on Exhibit "C" of the approving ordinance.

The Planning Commission, at their meeting of January 20, 2015, voted 8 to 0 to approve a resolution recommending **approval** of this request.

Attachments:

- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Zoning/Land Use Map
- Exhibit C – Site Plan

General Location Map



ORDINANCE NO.

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A VEHICLE RENTALS – PASSENGER VEHICLE ONLY, INCLUDING RECREATIONAL VEHICLES BUSINESS (U-HAUL) ON PROPERTY LOCATED AT 6540 HAMPTON ROADS PARKWAY, ZONING MAP 6, PARCEL 13A*3; C25-14

WHEREAS, Denise Wallesen, Divaris Property Management Corporation, agent, on behalf of James Wright, applicant, on behalf of CTR Associates, L.L.P., property owner, has requested a conditional use permit for vehicle rentals - passenger vehicles only, including recreational vehicles business (U-Haul) on a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 6, Parcel 13A*3 which land is depicted on Exhibit "B"; and,

WHEREAS, the procedural requirements of Article 3, Section 31-306 of the Code of the City of Suffolk, Virginia, 1998 (as amended), have been followed; and,

WHEREAS, in acting upon this request, the Planning Commission and City Council have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia (1950), as amended, and Article 1, Section 31-102 and Article 3, Section 31-306(c)(1 through 8) of the Code of the City of Suffolk, 1998 (as amended), with respect to the purposes stated in the Code of Virginia (1950), as amended, Sections 15.2-2200 and 15.2-2283; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Zoning/Land Use Map", and Exhibit "C", "Site Plan", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

Council finds that the proposal for a conditional use permit, as submitted or modified with conditions herein, the expressed purpose of which is to permit vehicle rentals - passenger vehicles only, including recreational vehicles (U-Haul) is in conformity with the standards of the Unified Development Ordinance of the City of Suffolk and that it will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood, and will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and

whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities with the conditions set forth below.

These findings are based upon the consideration for the existing use and character of property, the Comprehensive Plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of vehicle rentals - passenger vehicles only, including recreational vehicles (U-Haul) is by the imposition of the conditions provided herein.

Section 3. Permit Granted.

The conditional use permit for the Property be, and it is hereby, approved for the Property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The conditional use permit specifically permits vehicle rentals - passenger vehicles only, including recreational vehicles (U-Haul) in compliance with Sections 31-306 and 31-406 of the Code of the City of Suffolk.

Conditions

1. A maximum of two (2) rental vehicles or similar equipment may be parked in the front of the shopping center, between the existing building and Hampton Roads Parkway.

2. All additional rental vehicles or similar rental equipment shall be parked on the existing asphalt loading/parking area to the rear of the shopping center as depicted on Exhibit "C" of the approving ordinance.

Section 4. General Conditions.

(a) The conditional use permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days written notice to James Wright, applicant, and CTR Associates, L.L.P., property owner, or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.

(b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.

(c) The commencement of the use described in Section 3 of this ordinance shall be deemed acceptance by James Wright, applicant, and CTR Associates, L.L.P., property owner, or any party undertaking or maintaining such use, of the conditions to which the conditional use permit herein granted is subject.

Section 5. Severability.

It is the intention of the City Council that the provisions, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph, section and provision of this ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections and provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination.

Section 6. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

Section 7. Effective Date.

This ordinance shall be effective upon passage and shall not be published or codified. The conditional use authorized by this permit shall be implemented within two (2) years from the date of approval by the City Council and shall terminate if not initiated within that time period.

READ AND PASSED: _____

TESTE: _____
Erika Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

Exhibit A

RESOLUTION NO. 15-01-2

CITY OF SUFFOLK PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT C25-14

WHEREAS Denise Wallesen, Divaris Property Management Corporation, agent, on behalf of James Wright, applicant, on behalf of CTR Associates, L.L.P., property owner, has requested the issuance of a conditional use permit for a certain tract of land situated in the City of Suffolk, Virginia, which land is described and depicted on the proposed Ordinance attached hereto and incorporated herein by reference; and

WHEREAS, the specific request is to permit vehicle rentals - passenger vehicles only, including recreational vehicles (U-Haul) in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a conditional use permit, as submitted or modified herein:

_X_ a. Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

___ b. Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

_X_ c. Will be no more injurious to property or improvements in the neighborhood, or

___ d. Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, C25-14, be:

___ a. Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.

___ b. Denied, and that Council not adopt the proposed Ordinance.

X c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: January 20, 2025

TESTE: Scott Mills

CONDITIONAL USE PERMIT
C25-14

CONDITIONS

1. A maximum of two (2) rental vehicles or similar equipment may be parked in the front of the shopping center, between the existing building and Hampton Roads Parkway.

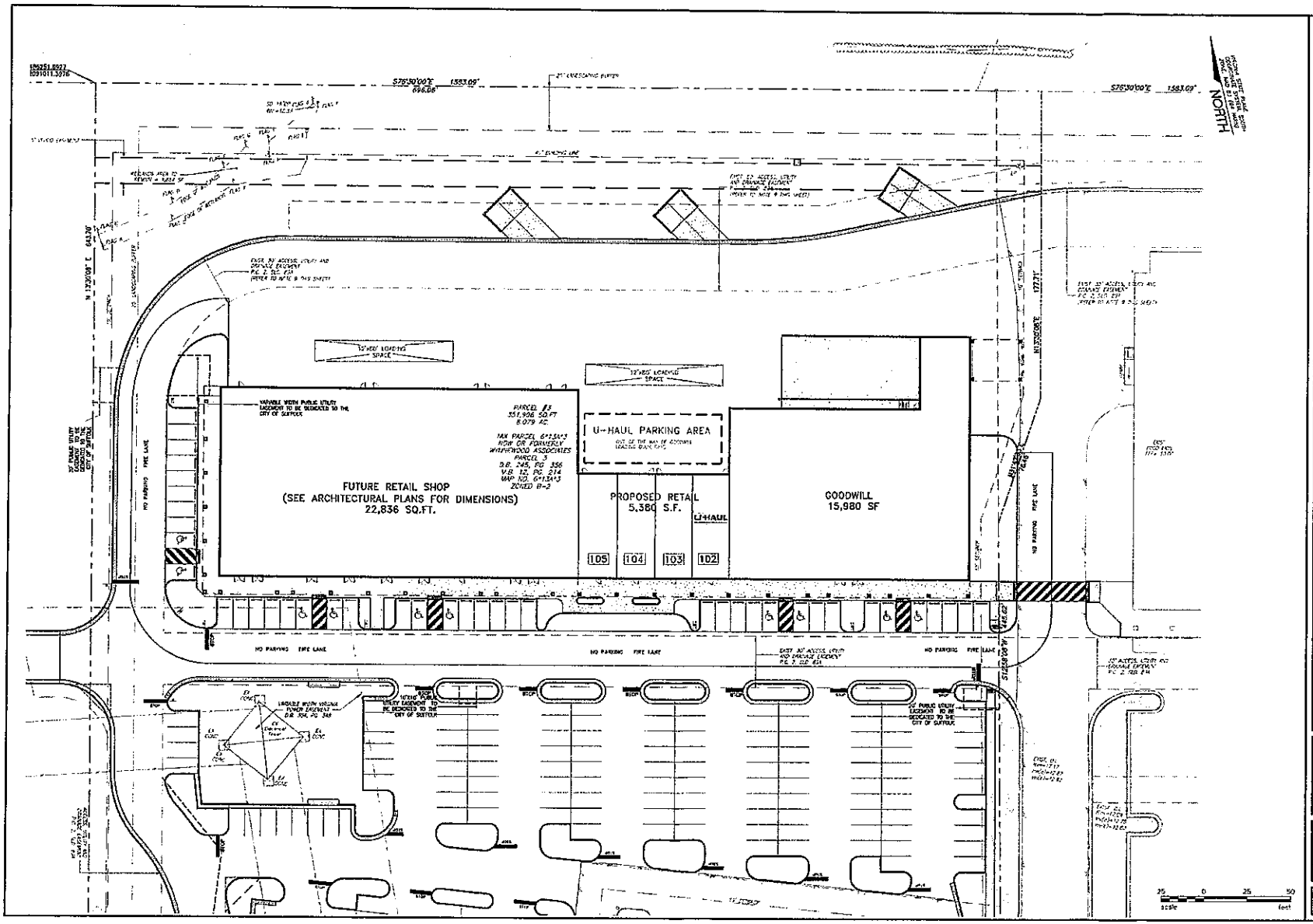
2. All additional rental vehicles or similar rental equipment shall be parked on the existing asphalt loading/parking area to the rear of the shopping center as depicted on Exhibit "C" of the approving ordinance.

EXHIBIT B

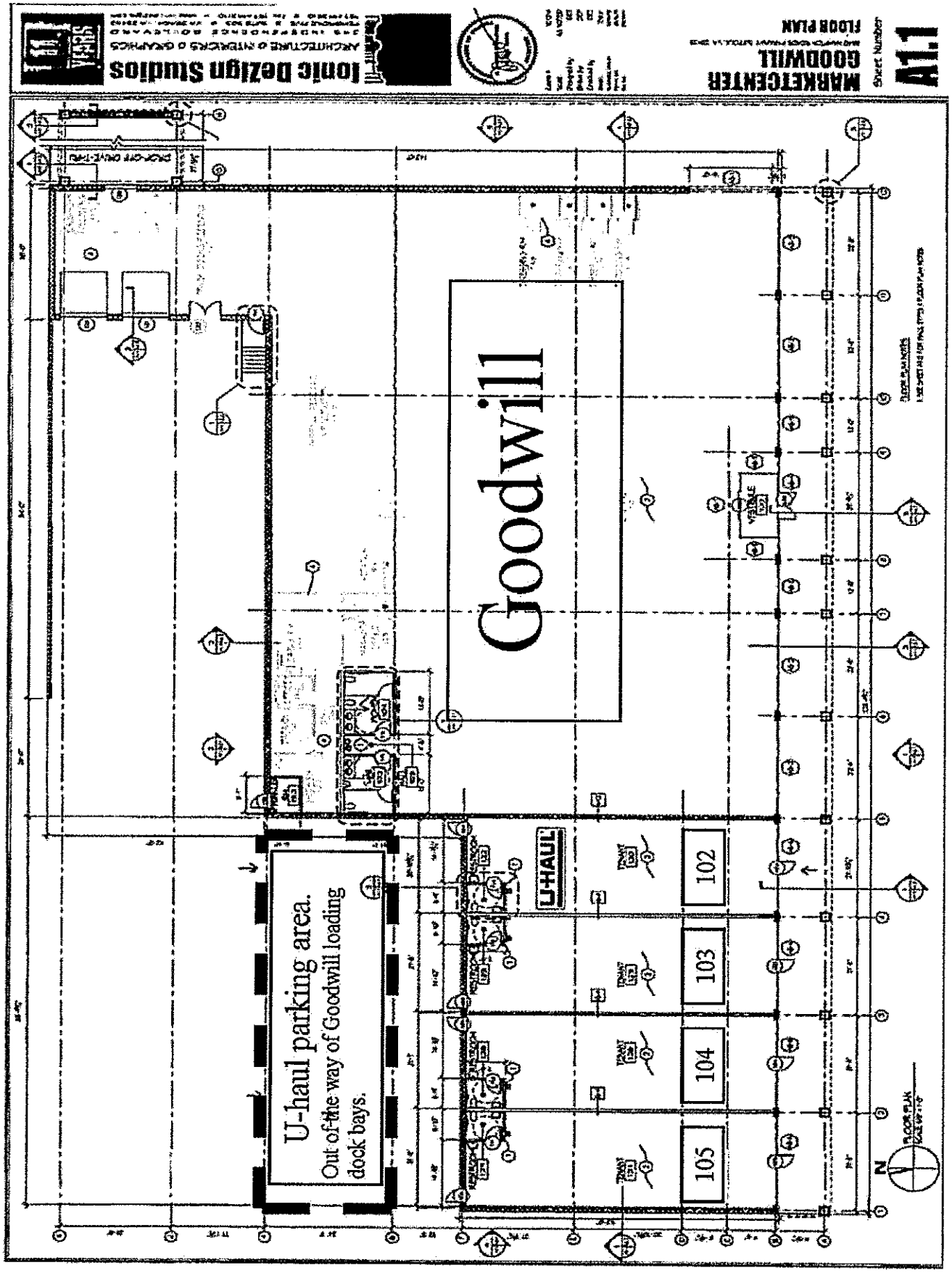
C25-14 ZONING / LAND USE MAP

Aerial Imagery Sources: VGIN/VITA VMBP 2013 Orthophotography and/or ESRI http://goto.arcgisonline.com/maps/World_Imagery Date: 11/7/2014

EXHIBIT C



FUTURE RETAIL SHOP
(SEE ARCHITECTURAL PLANS FOR DIMENSIONS)
22,836 SQ.FT.
PROPOSED RETAIL
5,380 S.F.
U-HAUL PARKING AREA
GOODWILL
15,980 SF
105
104
103
102
NO PARKING FIRE LANE
NORTH
HOGGARD-EURE ASSOCIATES, P.C.
APPROVAL DATE:
EXHIBIT
SHOWING
MARKETCENTER AT HARBOR VIEW
SUFFOLK, VIRGINIA
TAX MAP NO. 6*13A*3
DATE: 1/8/2015
SCALE: 1"=25'
ENGR.: CJB
DESIGN: CJB
DRAWN: MSA
SHEET NO.
1
1 OF 1
1346.07.


Goodwill
U-haul parking area.
Out of the way of Goodwill loading dock bays.
U-HAUL
102
103
104
105
N
MARKETCENTER
GOODWILL
FLOOR PLAN
A1.1
Sheet Number
Ionic Design Studios

AGENDA: March 4, 2015, Regular Session

ITEM: **Public Hearing** – An ordinance to amend Chapter 31, Unified Development Ordinance of the Code of the City of Suffolk by amending Article 1, General Provisions, Section 31-104, Applicability, to address security fencing requirements for public utility establishments – OA1-15

Attached for your consideration is information pertaining to Ordinance Text Amendment OA1-15, initiated by the Suffolk City Council and Planning Commission for an amendment to the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance, by amending Article 1, General Provisions, Section 31-104, Applicability, to address security fencing requirements for public utility establishments.

The Planning Commission, at their meeting of January 20, 2015, voted 8 to 0 to approve a Resolution recommending **approval** of the text amendment as proposed.

ATTACHMENTS:

- Staff Report
- Proposed Ordinance
- Exhibit A - Planning Commission Recommendation

STAFF REPORT

DESCRIPTION

PROPOSED ORDINANCE TEXT AMENDMENT OA1-15: Amendment to the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance, by amending Article 1, General Provisions, Section 31-104, Applicability, to address security fencing requirements for public utility establishments.

APPLICANT: The proposed ordinance text amendment has been initiated by the Suffolk City Council and Planning Commission.

CERTIFICATION OF PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance.

STAFF ANALYSIS

ISSUE:

Presented for your favorable consideration is a proposed amendment to the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance. The purpose of the text amendment is to address security fencing requirements for public utility establishments.

CONSIDERATIONS AND CONCLUSIONS:

Often times public utility facilities may be subject to certain Homeland Security or Federal directive that require or recommend fencing for security purposes that may exceed what the Unified Development Ordinance allows. In that regard, staff recommends an amendment to Section 31-104, Applicability of the UDO. This section already provides some exemptions for certain utilities and services. In that regard, it is recommended that this section be revised as follows, which will exempt security fencing for public utility facilities as long as the location of the fencing does not obstruct traffic sight visibility when located in yards adjacent to a street as determined by the City's Traffic Engineer.

SEC. 31-104. - APPLICABILITY.

(a) **GENERALLY.** The Ordinance shall apply to all public land(s) and building(s) and private land(s) and building(s), and use(s) thereon over which the City has jurisdiction under the Constitution(s) and law(s) of the State of Virginia and of the United States.

(b) **CERTAIN UTILITIES AND SERVICES EXEMPT.** Except as specifically noted below, certain utilities and services shall be exempt from the regulations of this Ordinance. Specifically, the following facilities and equipment shall be exempted:

(1) Traffic signals, fire hydrants, alarm or emergency devices, telephone booths and pedestals, mailboxes;

(2) Wires, poles, towers, pipes, meters and similar facilities which provide service connections between primary distribution lines or mains and individual residential,

commercial or industrial customers, or which are an integral and accessory part of a subdivision or development excluding any telecommunications facilities regulated by the Telecommunications Facilities Standards of this Ordinance.

(3) Sewage pump and lift stations, water storage and pumping facilities, communication switching and relay facilities, and similar utilities when approved by the Director as a necessary and integral component of a public utility system. Such facilities shall be subject to the terms of Article 6.

(4) Railroad tracks, signals, bridges and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities and equipment.

(5) Towers or antennas used primarily by governmental agencies for public safety communications and emergency services.

(6) Security fencing for Public Utility Facilities (generation, transmission, treatment, distribution and communication). No such fence when located in a required yard adjacent to a street shall obstruct traffic sight visibility as determined by the City's Traffic Engineer.

(c) Any utility substation, treatment plant, generating plant, or similar facility which is not within the normal scope of distribution facilities referred to above shall be authorized only by conditional use permit.

Staff recommends approval of the proposed ordinance text amendment. In addition, the Planning Commission's Committee on Ordinances endorsed the proposed ordinance text amendment at their meeting of December 16, 2014.

The Planning Commission, at their meeting of January 20, 2015, voted 8 to 0 to approve a Resolution recommending **approval** of this ordinance text amendment.

Attachments:

- Proposed Ordinance
- Planning Commission Recommendation – Exhibit A

ORDINANCE NO._____

AN ORDINANCE TO AMEND CHAPTER 31, UNIFIED DEVELOPMENT ORDINANCE OF THE CODE OF THE CITY OF SUFFOLK BY AMENDING ARTICLE 1, GENERAL PROVISIONS, SECTION 31-104, APPLICABILITY – OA1-15

BE IT ORDAINED, by the Council of the City of Suffolk, Virginia, that Chapter 31, Section 31-104, Applicability, of the Unified Development Ordinance of the Code of the City of Suffolk, Virginia, be and is hereby amended to read as follows:

SEC. 31-104. - APPLICABILITY.

(a) **GENERALLY.** The Ordinance shall apply to all public land(s) and building(s) and private land(s) and building(s), and use(s) thereon over which the City has jurisdiction under the Constitution(s) and law(s) of the State of Virginia and of the United States.

(b) **CERTAIN UTILITIES AND SERVICES EXEMPT.** Except as specifically noted below, certain utilities and services shall be exempt from the regulations of this Ordinance. Specifically, the following facilities and equipment shall be exempted:

(1) Traffic signals, fire hydrants, alarm or emergency devices, telephone booths and pedestals, mailboxes;

(2) Wires, poles, towers, pipes, meters and similar facilities which provide service connections between primary distribution lines or mains and individual residential, commercial or industrial customers, or which are an integral and accessory part of a subdivision or development excluding any telecommunications facilities regulated by the Telecommunications Facilities Standards of this Ordinance.

(3) Sewage pump and lift stations, water storage and pumping facilities, communication switching and relay facilities, and similar utilities when approved by the Director as a necessary and integral component of a public utility system. Such facilities shall be subject to the terms of Article 6.

(4) Railroad tracks, signals, bridges and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities and equipment.

(5) Towers or antennas used primarily by governmental agencies for public safety communications and emergency services.

(6) Security fencing for Public Utility Facilities (generation, transmission, treatment, distribution and communication). No such fence when located in a required yard adjacent to a street shall obstruct traffic sight visibility as determined by the City's Traffic Engineer.

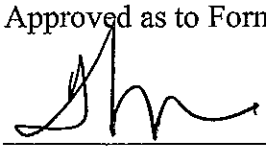
(c) Any utility substation, treatment plant, generating plant, or similar facility which is not within the normal scope of distribution facilities referred to above shall be authorized only by conditional use permit.

This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED:_____

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to Form:



Helivi L. Holland, City Attorney

"Exhibit A"

RESOLUTION NO. 15-01-3

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO AN ORDINANCE TO AMEND CHAPTER 31, UNIFIED DEVELOPMENT ORDINANCE OF THE CODE OF THE CITY OF SUFFOLK BY AMENDING ARTICLE 1, GENERAL PROVISIONS, SECTION 31-104, APPLICABILITY TO ADDRESS SECURITY FENCING REQUIREMENTS FOR PUBLIC UTILITY ESTABLISHMENTS– OA1-15

WHEREAS, the City of Suffolk City Council and Planning Commission have initiated an amendment to the Unified Development Ordinance; and

WHEREAS, the specific request is that Article 1, General Provisions, Section 31-104, Applicability, be amended as referenced on the attached Ordinance; and

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings

The Suffolk Planning Commission finds that the proposed ordinance amendment is reasonable and warranted.

Section 2. Recommendation to Council

The Planning Commission recommends to City Council that the ordinance amendment be:

__X__ a. Granted as submitted and that the City Council adopt the proposed Ordinance without modification.

____ b. Denied, and that Council not adopt the proposed ordinance.

____ c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: January 24, 2023

TESTE: _____

AGENDA: March 4, 2015, Regular Session

ITEM: **Public Hearing** – An ordinance to amend Chapter 31, Unified Development Ordinance of the Code of the City of Suffolk by amending Article 6, Design and Improvement Standards, Section 31-606, Parking and Loading Standards to amend the parking requirement for schools – OA2-15

Attached for your consideration is information pertaining to Ordinance Text Amendment OA2-15, initiated by the Suffolk City Council and Planning Commission for an amendment to the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance, by amending Article 6, Design and Improvement Standards, Section 31-606, Parking and Loading Standards to amend the parking requirement for schools.

The Planning Commission, at their meeting of January 20, 2015, voted 8 to 0 to approve a Resolution recommending **approval** of the text amendment as proposed.

ATTACHMENTS:

- Staff Report
- Proposed Ordinance
- Exhibit A - Planning Commission Recommendation

STAFF REPORT

DESCRIPTION

PROPOSED ORDINANCE TEXT AMENDMENT OA2-15: Amendment to the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance, by amending Article 6, Design & Improvement Standards, Section 31-606, Parking and Loading Standards, to amend the parking requirement for schools.

APPLICANT: The proposed ordinance text amendment has been initiated by the Suffolk City Council and Planning Commission.

CERTIFICATION OF PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance.

STAFF ANALYSIS

ISSUE:

Presented for your favorable consideration is a proposed amendment to the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance. The purpose of the text amendment is to amend the parking requirement for schools.

CONSIDERATIONS AND CONCLUSIONS:

Section 31-606, Parking and Loading Standards of the Unified Development Ordinance (UDO) allows elementary and middle schools 1 space per classroom minimum and 2 spaces per classroom maximum. Staff recommends that the standards be revised to require 2 spaces per classroom minimum and delete the maximum amount of parking allowed. Based on our review of recent elementary schools, it appears that the maximum allowed parking is being provided and that amount of parking provided is inadequate to meet the parking needs of the school.

For high schools, there is no minimum parking required and the maximum parking allowed is 1 space per 4 students. It is recommended that we still not require a minimum amount of parking and revise the maximum amount of parking to 1 space per 3 students. This would provide the school division some degree of flexibility in determining the maximum number of parking spaces in future high school designs.

SEC. 31-606. - PARKING AND LOADING STANDARDS.

TABLE 606-2: OFF-STREET PARKING REQUIREMENTS

Use Categories	Specific uses	Minimum and Maximum Number of Spaces (See Subsection (a)(9) Measurement Standards)	
		Minimum Vehicle Spaces	Maximum Vehicle Spaces
Schools	Elementary and Junior Highs	~~1~~ *2* per classroom	~~2 per classroom~~

	High Schools		1 per **4** ***3*** students
	Schools of Private Instruction	1 per 200 sf	1 per 150 sf

Staff recommends approval of the proposed ordinance text amendment. In addition, the Planning Commission's Committee on Ordinances endorsed the proposed ordinance text amendment at their meeting of December 16, 2014.

The Planning Commission, at their meeting of January 20, 2015, voted 8 to 0 to approve a Resolution recommending **approval** of this ordinance text amendment.

Attachments:

- Proposed Ordinance
- Planning Commission Recommendation – Exhibit A

ORDINANCE NO._____

AN ORDINANCE TO AMEND CHAPTER 31, UNIFIED DEVELOPMENT ORDINANCE OF THE CODE OF THE CITY OF SUFFOLK BY AMENDING ARTICLE 6, DESIGN AND IMPROVEMENT STANDARDS, SECTION 31-606, PARKING AND LOADING STANDARDS – OA2-15

BE IT ORDAINED, by the Council of the City of Suffolk, Virginia, that Chapter 31, Section 31-606, Parking and Loading Standards, of the Unified Development Ordinance of the Code of the City of Suffolk, Virginia, be and is hereby amended to read as follows:

SEC. 31-606. - PARKING AND LOADING STANDARDS.

. . .

TABLE 606-2: OFF-STREET PARKING REQUIREMENTS

Use Categories	Specific uses	Minimum and Maximum Number of Spaces (See Subsection (a)(9) Measurement Standards)	
		Minimum Vehicle Spaces	Maximum Vehicle Spaces
RESIDENTIAL:			
Group Living	Assisted Living Facilities; Treatment Facility	0.3 per room	1 per room
	Other Group Living	0.3 per room	1 per room
Household Living	Bed and Breakfast	1 per guest room plus 2 spaces for owner's portion	N/A
	Rooming/Board House	1 per room	2 per room
	Dormitories/Fraternities/Sororities	1 per 2 beds	1 per bed
	Single-Family and Duplex	2 accessible spaces per dwelling unit	N/A
	Multi-Family	1 per unit	2 per unit
	Elderly housing	1 per three units	1.5 per unit

	All Other Dwelling Units	1 per unit	2.0 per unit
INSTITUTIONAL:			
Colleges	All	1 per 4 students	1 per 2 students
Community Services	All	1 per 250 sf GFA	1 per 200 sf GFA
Cultural	Museums, Art Galleries, Opera Houses, Libraries	1 per 1,000 sf GFA	1.5 per 1,000 sf GFA
Day Care	Limited Day Care and General Day Care	1 per 375 sf GFA	1.5 per 375 sf GFA
Detention Facilities	Jails, Honor Camps, Reformatories, Law Enforcement Rehabilitation Centers	1 per employee on maximum shift, 1 per service vehicle	N/A
Hospital or Medical Clinic	All	1 per 400 sf GFA	1 per 100 sf GFA
Parks and Open Areas	Campground	1 (10′ × 30′) per campsite plus 1 (10′ × 30′) per 6 camp sites, plus 4 per laundry and shower facility	N/A
	All Other	20 per athletic field or ball diamond or 1 per 4 seats whichever results in more spaces	N/A
Religious Assembly	All	1 per 4 seats	1 per 1.5 seats
Safety Service		1 per employee + 1 per each 3 volunteer personnel on normal shift	N/A
Schools	Elementary and Junior Highs	~~1~~ 2 per classroom	~~2 per classroom~~
	High Schools		1 per ~~4~~ 3 students
	Schools of Private Instruction	1 per 200 sf	1 per 150 sf

Utilities, Basic		1 per employee	N/A

. . .

This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

"Exhibit A"

RESOLUTION NO. 15-01-4

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO AN ORDINANCE TO AMEND CHAPTER 31, UNIFIED DEVELOPMENT ORDINANCE OF THE CODE OF THE CITY OF SUFFOLK BY AMENDING ARTICLE 6, DESIGN AND IMPROVEMENT STANDARDS, SECTION 31-606, PARKING AND LOADING STANDARDS TO AMEND THE PARKING REQUIREMENT FOR SCHOOLS– OA2-15

WHEREAS, the City of Suffolk City Council and Planning Commission have initiated an amendment to the Unified Development Ordinance; and

WHEREAS, the specific request is that Article 6, Design and Improvement Standards, Section 31-606, Parking and Loading Standards, be amended as referenced on the attached Ordinance; and

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings

The Suffolk Planning Commission finds that the proposed ordinance amendment is reasonable and warranted.

Section 2. Recommendation to Council

The Planning Commission recommends to City Council that the ordinance amendment be:

__X__ a. Granted as submitted and that the City Council adopt the proposed Ordinance without modification.

____ b. Denied, and that Council not adopt the proposed ordinance.

____ c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: January 20, 2015

TESTE: Scott Mills

AGENDA: March 4, 2015, Regular Session

ITEM: **Public Hearing** – A Resolution to Amend the Comprehensive Plan for 2026 and Adopt Suffolk 2035: A Vision for the Future, City of Suffolk Comprehensive Plan

Enclosed for your review and consideration is the proposed *Suffolk 2035: A Vision for the Future, City of Suffolk Comprehensive Plan.* This plan document is the work product of an extensive effort expended by Planning Commission, City Council, and the citizens and community leaders of Suffolk. Armed with their vision and guidance, the project team has prepared what is in our judgment the most appropriate and sustainable growth strategy for the City of Suffolk.

Building on the vision, history and successful implementation strategies established by earlier generations of the comprehensive plan, the *Suffolk 2035: A Vision for the Future, City of Suffolk Comprehensive Plan* reflects a wide range of themes intended to guide development in the City. These themes include balanced growth and development, vibrant core areas, preserved and enhanced character, enhanced economic development, environmental protection and responsible regionalism. Each chapter's policies and action statements are guided by these themes, ensuring that the vision represented by the plan's guiding principles are carried out through the recommendations contained in the plan. Elements the plan looks closely at include land use and growth management, place types, transportation, municipal facilities and services, housing, and natural and environmental resources.

The *Suffolk 2035: A Vision for the Future, City of Suffolk Comprehensive Plan* makes minor modifications to the previous plan, particularly in regard to the boundaries of the designated growth areas; the density and intensity of development within the various use districts located within the growth areas; and a greater depth and refinement in defining a sense of place throughout the City.

Furthermore, the City's twelve existing neighborhood and initiatives plans previously adopted as a component to the *Comprehensive Plan for 2026* will remain intact and unchanged, and shall be incorporated by reference as a component of this proposed *Suffolk 2035: A Vision for the Future.* These existing neighborhood and initiatives plans include the following:

- *Carolina Road Corridor Land Use Strategy;*
- *Chuckatuck/Oakland Village Initiatives Plan;*
- *Crittenden/Eclipse Village Initiatives Plan;*
- *Downtown Suffolk Initiatives Plan;*
- *Driver Village Initiatives Plan;*
- *East Washington Street Neighborhoods Initiatives Plan;*
- *Fairgrounds Revitalization Plan;*
- *Hall Place Neighborhood Initiatives Plan;*
- *Holland Village Initiatives Plan;*
- *Huntersville Neighborhood Initiatives Plan;*
- *Olde Towne Revitalization Plan; and,*
- *Whaleyville Village Initiatives Plan;*

After careful and thorough review and consideration, the Planning Commission, at their meeting of January 20, 2015, voted 8 to 0 to approve the attached resolution and forward the proposed *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan* to City Council with the recommendation that it be adopted as the comprehensive plan for the City of Suffolk.

ATTACHMENTS:

- Proposed Resolution
- Exhibit A - *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan*
- Exhibit B - Planning Commission Recommendation

RESOLUTION NO. _____

A RESOLUTION TO AMEND THE COMPRHENSIVE PLAN FOR 2026 AND ADOPT SUFFOLK 2035: A VISION FOR THE FUTURE, CITY OF SUFFOLK COMPREHENSIVE PLAN

WHEREAS, the City Council of the City of Suffolk, Virginia, has directed the *Comprehensive Plan for 2026* be reviewed and updated as warranted; and,

WHEREAS, said review and update is in accordance with Section 15.2-2230 of the Code of Virginia which specifies that at least once every five (5) years the Comprehensive Plan shall be reviewed by the Planning Commission to determine whether it is advisable to amend the Plan; and,

WHEREAS, after said review, the Planning Commission of the City of Suffolk, Virginia, has determined it is advisable to amend the *Comprehensive Plan for 2026*; and,

WHEREAS, in accordance with Section 15.2-2223 of the Code of Virginia, *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan* has been developed following a thorough, careful, and comprehensive examination of the existing conditions and trends of growth; community goals and concerns provided by the residents and community leaders of the City of Suffolk; and of the probable future requirements of the City of Suffolk and its inhabitants; and,

WHEREAS, *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan* has been developed with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the City of Suffolk, Virginia, which will best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants of Suffolk, Virginia; and,

WHEREAS, the twelve neighborhood and initiative plans adopted as part of the *Comprehensive Plan for 2026* remain intact, unaltered, and in force; and,

WHEREAS, the *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan* has been advertised and reviewed by the Planning Commission in compliance with the requirements of State Law; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "B"; and,

WHEREAS, a public hearing before the City Council was duly advertised as required by law and held on the 4th day of March, 2015, at which public hearing the public was presented with the opportunity to comment on the proposed *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan*; and following which City Council considered the above-stated issues.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Suffolk, Virginia, that:

Section 1. Exhibit "A", "*Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan*", a component of which includes, and are incorporated therein by reference, the twelve existing neighborhood and initiatives plans that remain intact and unchanged; and Exhibit "B", the Planning Commission Recommendation are attached hereto and are hereby incorporated as part of this resolution.

Section 2. Findings.

The City Council finds that the proposed *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan* is reasonable and warranted due to changes in circumstances; and has considered the following factors and finds that the proposed *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan* is consistent with:

1. The existing use and character of property within the City;

2. The suitability of the property for various uses;

3. The trends of growth or change;

4. The current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;

5. The transportation requirements of the community;

6. The requirements of airports, housing, schools, parks, playgrounds, recreation areas and other public services;

7. The conservation of natural resources;

8. The preservation of flood plains;

9. The preservation of agricultural and forestal land;

10. The conservation of properties and their values;

11. The encouragement of the most appropriate use of land throughout the City.

Section 3. Action.

The *Comprehensive Plan for 2026* is hereby amended and readopted as *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan*, to read as provided in Exhibit A.

Section 4. This resolution shall be effective upon adoption and shall not be published or codified.

READ AND ADOPTED:_____

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to form:

Helivi L. Holland, City Attorney

EXHIBIT "B"

RESOLUTION NO. 15-01-5

CITY OF SUFFOLK PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND
RECOMMENDATION TO CITY COUNCIL RELATING
TO A RESOLUTION TO AMEND THE COMPRHENSIVE PLAN FOR 2026
AND ADOPT SUFFOLK
2035: A VISION FOR THE FUTURE,
CITY OF SUFFOLKCOMPREHENSIVE PLAN

WHEREAS, the City Council of the City of Suffolk, Virginia, has directed the *Comprehensive Plan for 2026* be reviewed and updated as warranted; and

WHEREAS, said review and update is in accordance with Section 15.2-2230 of the Code of Virginia which specifies that at least once every five (5) years the Comprehensive Plan shall be reviewed by the Planning Commission to determine whether it is advisable to amend the Plan; and

WHEREAS, after said review, the Planning Commission of the City of Suffolk, Virginia, has determined it is advisable to amend the *Comprehensive Plan for 2026*; and

WHEREAS, in accordance with Section 15.2-2223 of the Code of Virginia, *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan* has been developed following a thorough, careful, and comprehensive examination of the existing conditions and trends of growth; community goals and concerns provided by the residents and community leaders of the City of Suffolk; and of the probable future requirements of the City of Suffolk and its inhabitants; and

WHEREAS, *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan* has been developed with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the City of Suffolk, Virginia, which will best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants; and

WHEREAS, the twelve neighborhood and initiative plans adopted as part of the *Comprehensive Plan for 2026* remain intact, unaltered, and in force; and

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposed *Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan* is reasonable and warranted due to changes in circumstances; and has considered the following factors and finds that the proposed plan is consistent with:

1. The existing use and character of property within the City;

2. The suitability of the property for various uses;

3. The trends of growth or change;

4. The current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;

5. The transportation requirements of the community;

6. The requirements of airports, housing, schools, parks, playgrounds, recreation areas and other public services;

7. The conservation of natural resources;

8. The preservation of flood plains;

9. The preservation of agricultural and forestal land;

10. The conservation of properties and their values;

11. The encouragement of the most appropriate use of land throughout the City; and

Section 2. Recommendation to City Council.

The Planning Commission recommends to City Council: 1) that the *Comprehensive Plan for 2026* be amended and readopted as *Suffolk 2035: A Vision for the Future, City of Suffolk Comprehensive Plan*, a component of which includes, and which shall be incorporated therein by reference, the twelve existing neighborhood and initiatives plans that remain intact and unchanged; and 2) that the proposed "Resolution to Amend the

Comprehensive Plan for 2026 and Adopt the Suffolk 2035: A Vision For The Future, City of Suffolk Comprehensive Plan", be approved.

READ AND ADOPTED: January 20, 2015

TESTE: [signature]

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Ordinance** – An ordinance to accept and appropriate excess General Fund Expenses and/or excess General Fund Revenues and/or Debt Fund Balance received during Fiscal Year 2014-15 to the Western Tidewater Regional Jail

The amount that was budgeted for Fiscal Year 2014-15 for the Western Tidewater Regional Jail (WTRJ) is $2,588,491. The WTRJ budget for Fiscal Year 2014-15 was adopted by their board which included two members from the City of Suffolk Council requesting funding from Suffolk in the amount of $3,797,045. In response to the requested funding from the Western Tidewater Regional Jail for Fiscal Year 2014-15 in the amount of $3,797,045, staff recommends using excess expenses and/or excess revenues and/or Debt Fund Balance funds for Fiscal Year 2014-15 not to exceed $1,208,554 to fully fund the WTRJ request.

BUDGET IMPACT:

Adoption of the attached ordinance will increase the appropriated revenues and expenditures of the General Fund by $1,208,554 for designation and appropriation to the Western Tidewater Regional Jail in Fiscal Year 2014-15 for the above noted purpose.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENT:

Ordinance

ORDINANCE NO. _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE EXCESS GENERAL FUND EXPENSES AND/OR EXCESS GENERAL FUND REVENUES AND/OR DEBT FUND BALANCE RECEIVED DURING FISCAL YEAR 2014-15 TO THE WESTERN TIDEWATER REGIONAL JAIL

WHEREAS, the City of Suffolk is a member organization of the Western Tidewater Regional Jail (WTRJ) obligated to pay a share of the expenses of the WTRJ in accordance with prior resolutions and service agreements; and,

WHEREAS, the City of Suffolk's share of the WTRJ's approved budget exceeds the City of Suffolk's Fiscal Year 2014-15 budgeted amount of $2,588,491; and,

WHEREAS, funds in the amount of $1,208,554 need to be appropriated from the excess expenses and/or excess revenues and/or Debt Fund Balance for the Fiscal Year 2014-15 in order to provide immediate funding for the WTRJ representing the amount that was adopted in the WTRJ's adopted budget for Fiscal Year 2014-15; and,

WHEREAS, the General Fund Budget of the City of Suffolk is projected to end the Fiscal Year 2014-15 with revenue receipts in excess of budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Suffolk, Virginia, that:

1. The fund amount totaling $1,208,554 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 14-O-037, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

2. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED:_____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

AGENDA: March 4, 2015, Regular Session

ITEM: **Resolution** – A resolution in support of Epps Seniors, LP for the construction of 50 units of affordable housing for persons 55 years and older to be located at 401 King's Fork Road

Epps Seniors, LP is applying to the Virginia Housing Development Authority ("VHDA") for federal housing tax credits to assist in the financing of 50 units of rental housing for age restricted persons 55 years of age or older on property located at 401 King's Fork Road. In order to apply, Epps Seniors LP has requested a Resolution of Support from City Council for their project. Associated with this project are two action items on your same agenda, those being Rezoning Request RZ-8-14 (Conditional) and Conditional Use Permit Request C-28-14, which are also necessary for the project.

Staff recommends that City Council adopt the attached resolution.

ATTACHMENT:

- Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY OF SUFFOLK IN SUPPORT OF EPPS SENIORS, LP, FOR THE CONSTRUCTION OF 50 UNITS OF AFFORDABLE HOUSING FOR PERSONS 55 YEARS AND OLDER, TO BE LOCATED AT 401 KINGS FORK ROAD, CITY OF SUFFOLK, VIRGINIA

WHEREAS, Epps Seniors, LP, is applying to the Virginia Housing Development Authority ("VHDA") for federal housing tax credits to assist in the financing of 50 units of rental housing for persons 55 years and older to be located on ± 11.787 acres (LNI#015-C-34); and,

WHEREAS, the above-referenced development is located in a Revitalization Area in the City of Suffolk, Virginia; and,

WHEREAS, the industrial, commercial or other economic development of such area will benefit the city but such area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in such area; and,

WHEREAS, the private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area; and,

WHEREAS, the VHDA has established a competitive scoring process for awarding funds to projects, one such criterion being a Resolution of Support for the proposed project within the Revitalization Area from the local elected officials.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Suffolk endorse the submission of an application by Epps Seniors, LP, to the Virginia Housing Development Authority for the purpose of awarding housing tax credits to Epps Senior, LP, to assist in the financing of 50 units of housing for persons 55 years and older in the City of Suffolk, Virginia.

BE IT FURTHER RESOLVED, that this resolution shall be in effect upon its adoption, and it shall not be published.

READ AND ADOPTED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

Staff Reports

AGENDA: **March 4, 2015, Regular Session**

ITEM: **Motion** – A motion to schedule a public hearing on March 18, 2015, to consider the adoption of an ordinance authorizing the acquisition of right of way and easements for the Route 58 Improvements Project

This project is for improvements to Holland Road (Route 58) (Project No. 0058-133-005) from its intersection with the southwest bypass to approximately .70 miles west of Manning Bridge Road. The project will include widening from 4 to 6 lanes with curb and gutter, raised median, street lighting, signal improvements, sidewalk and multi-use trail as well as drainage improvements and intersection improvements.

RECOMMENDATION:

Approve the motion

AGENDA: **March 4, 2015 Regular Session**

ITEM: **Motion** – A motion to schedule a public hearing on March 18, 2015, to consider the adoption of an ordinance authorizing the acquisition of right of way and easements for the Route 58/Manning Bridge Road Intersection Improvements Project (Project No. U000-133-R76)

This project is for improvements to Holland Road from approximately .19 mile west of Manning Bridge Road to approximately .20 mile east of Manning Bridge Road, and improvements to Manning Bridge Road from approximately .1 mile north to approximately .1 mile south from its intersection with Holland Road. The project will include widening from 4 to 6 lanes with dual left turn lanes, signal improvements, stormwater improvements including a stormwater management facility, sidewalk and multi-use trail.

RECOMMENDATION:

Approve the motion

Motion to Schedule a Work Session

Non-Agenda Speakers

New Business

Announcements and Comments